

# AMERICAN JOURNAL OF PHILOLOGY

Founded by B. L. GILDERSLEEVE

Edited by  
HENRY T. ROWELL

KEMP MALONE, BENJAMIN D. MERITT  
EVELYN H. CLIFT: Secretary

Honorary Editor  
DAVID MOORE ROBINSON

---

VOLUME LXVII

---

BALTIMORE: THE JOHNS HOPKINS PRESS

LONDON: ARTHUR F. BIRD  
PARIS: ALBERT FONTEMOING LEIPZIG: F. A. BROCKHAUS

1946

Bar

General  
direct

## CONTENTS OF VOLUME LXVII.

### No. 265.

	PAGE
An Alexandrian Prototype of Marathus? By CHRISTOPHER M. DAWSON, - - - - -	1
The Text and Interpretation of the Theodosian Code 7, 20, 2. By CLYDE PHARR, - - - - -	16
The Education of Heirs in the Julio-Claudian Family. By ENID RIFNER PARKER, - - - - -	29
On the Pre-History in Diodorus. By GREGORY VLASTOS, - - - - -	51
The History of <i>Pignoriscapio</i> . By H. HILL, - - - - -	60
Ὀρχηστής φοβερά. By LILLIAN B. LAWLER, - - - - -	67
<i>Aridum Argentum</i> in Plautus, <i>Rudens</i> 726. By PHILIP WHALEY HARSH, - - - - -	70
REVIEWS: - - - - -	73
<i>Cherniss' Aristotle's Criticism of Plato and the Academy</i> , Vol. I (PHILLIP DELACY).— <i>Rosenthal and Walzer's Plato Arabus</i> , Volume II: Alfarabius, <i>De Platonis Philosophia</i> (ISAAC RABINOWITZ).— <i>Clift's Latin Pseudepigrapha: A Study in Literary Attributions</i> (GEORGE E. DUCKWORTH).— <i>Husselman, Boak, and Edgerton's Papyri from Tebtunis</i> , Part II (Michigan Papyri, Vol. V) (C. BRADFORD WELLES).— <i>Flom's The Morphology of the Dialect of Aurland (in Sogn, Norway)</i> (STEFÁN EINARSSON).— <i>Pike's Phonetics: A Critical Analysis of Phonetic Theory and a Technic for the Practical Description of Sounds</i> (M. B. EMENEAU).— <i>Smith's The Hearst Hydria: An Attic Footnote to Corinthian History</i> (AGNES N. STILLWELL).— <i>Suelzer's The Clausulae in Cassiodorus</i> (HARRY M. HUBBELL).— <i>Bodenstedt's The Vita Christi of Ludolphus the Carthusian</i> (BRUCE M. METZGER).	
EDITORIAL ANNOUNCEMENT, - - - - -	96

No. 266.

	PAGE
“Democracy” in Classical Research. By KURT VON FRITZ, - - -	97
The Quotations from Aelius Aristides in Olympiodorus’ Commentary on Plato’s <i>Gorgias</i> . By FRIEDRICH WALTER LENZ, - - -	103
Epigraphical Evidence for Social Charity in the Roman West. <i>C. I. L.</i> , I <sup>2</sup> , 1212; VIII, 7858; IX, 4796. By MARTIN R. P. McGuire, - - - - -	129
Note on <i>A. P.</i> , V, 62. By A. H. HUGHES and J. A. NOTOPOULOS, - - -	150
Relics of <i>Mergus</i> , <i>Mergulus</i> , and <i>Mūcrō</i> in Ibero-Romance. By YAKOV MALKIEL, - - - - -	151
A Problem of Senate Procedure in the Late Roman Empire. By THERESA S. DAVIDSON, - - - - -	168
<b>REVIEWS:</b> - - - - -	<b>184</b>
<i>Levy’s</i> Pauli Sententiae. A Palingenesia of the Opening Titles as a Specimen of Research in West Roman Vulgar Law (MAX RADIN).— <i>Haight’s</i> More Essays on the Greek Romances (WARREN E. BLAKE).— <i>Edgar’s</i> Publications de la Société Fouad I de Papyrologie: Textes et Documents, Vol. V, <i>Zenon Papyri</i> , Nos. 59801-59853 ( <i>P. Cairo Zenon</i> , Vol. V) (C. BRADFORD WELLES).	

No. 267.

	PAGE
The Middle Voice in the <i>De Senectute</i> . By EDITH FRANCES CLAFLIN,	193
Livia and the Roman Imperial Cult. By GERTRUDE GRETHE,	222
Lycian <i>Hrppi</i> . By ROBERT SHAFER, - - - - -	253
Aristophanea. By M. PLATNAUER, - - - - -	262
The Date of Themistocles' Ostracism. By C. A. ROBINSON, JR., -	265
Additional Remark to Professor Nitze's Article, <i>A. J. P.</i> , LXVI (1945), p. 281. By LEO SPITZER, - - - - -	267
<b>REVIEWS:</b> - - - - -	<b>268</b>
<i>Gomme's</i> A Historical Commentary on Thucydides, Volume I. Introduction and Commentary on Book I (MALCOLM F. MCGREGOR).— <i>Transactions and Proceedings of the Ameri-     can Philological Association</i> , LXXV (1944). Edited by W. E. BLAKE (MASON HAMMOND).— <i>Bagan's</i> The Syntax of the Letters of Pope Gelasius I (CORA E. LUTZ).— <i>Wil-     kinson's</i> Horace and his Lyric Poetry (FRANK O. COBLEY). — <i>Word</i> , Journal of the Linguistic Circle of New York. Vol. I, No. 1 (April, 1945) (W. H. WORRELL).— <i>Tobin's</i> <i>Orientalia Commentaria</i> : A Commentary with an Intro-	

#### Books Received

287

## No. 268.

	PAGE
“Indo-Hittite” and Areal Linguistics. By GIULIANO BONFANTE,	289
M. Aquilius Felix. By JAMES H. OLIVER, - - - - -	311
Note on Gellius, <i>N. A.</i> , I, 6. By ADOLF BERGER, - - - - -	320
A Note on the Spelling $\dot{\epsilon}\xi\acute{\alpha}\mu\sigma$ = $\dot{\epsilon}\kappa\,\Sigma\acute{\alpha}\mu\sigma$ . By MARCUS N. TOD, - - - - -	329
The “Volatilization” of Peregrinus Proteus. By ROGER PACK, - - - - -	334
Some Proposals for Changes in the Text of Martin of Braga’s <i>De Ira</i> . By CHARLES SANFORD RAYMENT, - - - - -	346
Martin of Braga’s <i>De Ira</i> : New Readings from <i>Esc. M.III.3.</i> By CLAUDE W. BARLOW, - - - - -	359
Zum römischen Ritterstand. By ARTHUR STEIN, - - - - -	361
REVIEWS: - - - - -	363
Opstelten’s Sophocles en het Grieksche Pessimisme (WILLIAM C. GREENE).— <i>Traditio</i> : Studies in Ancient and Medieval History, Thought and Religion, Vol. I (ARTHUR DARBY NOCK).— <i>Youtie</i> and <i>Pearl’s Michigan Papyri</i> , Vol. VI. Papyri and Ostraca from Karanis (NAPHTALI LEWIS).— <i>Vandvik’s</i> The Prometheus of Hesiod and Aeschylus (RICHMOND LATTIMORE).— <i>Kerényi’s</i> Prometheus. Das Griechische Mythologem von der menschlichen Existenz (RICHMOND LATTIMORE).— <i>Fränkel’s</i> Ovid, a Poet between Two Worlds (BEN C. CLOUGH).— <i>Hackforth’s</i> Plato’s Examination of Pleasure. A Translation of the Philebus with Introduction and Commentary (L. A. POST).— <i>Malkiel’s</i> Development of the Latin Suffixes <i>-antia</i> and <i>-entia</i> in Romance Languages, with Special Regard to Ibero-Romance (LEO SPITZER).— <i>Armenian Quarterly</i> , Vol. I, No. 1 (Spring, 1946) (HENRY T. ROWELL).	
BOOKS RECEIVED, - - - - -	386
INDEX TO VOLUME LXVII, - - - - -	389



# AMERICAN JOURNAL OF PHILOLOGY

VOL. LXVII, 1

WHOLE No. 265

## AN ALEXANDRIAN PROTOTYPE OF MARATHUS?

In *P. Oxy.* 1011, fol. IV verso, lines 15-27 and fol. IV recto, lines 1-16 (= frag. 9 Pf., 174-205)<sup>1</sup> are preserved the fragments of the third of a series of poems known as the *Iambi* of Callimachus.<sup>2</sup> In spite of the valuable assistance offered by the self-styled *Διηγήσεις*,<sup>3</sup> a careful study of this poem, choliambic in meter and approximately 44 lines long, has been attempted by only one scholar, Goffredo Coppola in his "Cirene e il nuovo Callimaco" (*R. Accad. delle scienze dell' Istituto di Bologna. Classe di scienze morali*, 1935), pp. 84-86.<sup>4</sup> The inadequacy of Coppola's interpretation, however, and the interest of the poem itself justify further efforts to discover its real meaning and significance.

<sup>1</sup> Besides familiar abbreviations such as *P. Oxy.*, others employed in this article are as follows:  $\Delta$  = *Διηγήσεις* (see below, note 3); Pf. = R. Pfeiffer, *Callimachi fragmenta nuper reperta* (ed. maior, Bonn, 1923); *P. S. I.* = *Papiri greci e latini* (*Publicationi della società italiana*); Schn. = O. Schneider, *Callimachea* (Leipzig, 1870).

<sup>2</sup> The most recent reading of this papyrus is that presented by E. Lobel in *Hermes*, LXIX (1934), pp. 167-78.

<sup>3</sup> "ΔΙΗΓΗΣΕΙC di poemi di Callimaco" in *Papiri della R. Università di Milano*, I (1937), ed. A. Vogliano, pp. 66-173. At the top of col. VI are the words *Τῶν δὲ Αἰτίων Καλλιμάχου διηγήσεις*.

<sup>4</sup> The various discussions of *P. Oxy.* 1011 listed by Pfeiffer in his *editio maior*, p. 29, give no more than a passing glance even at the text of this Iambus; reference to the subject matter is limited to Crusius' brief comment ("thema Archilocheum") on vv. 14 ff. The notes of Pfeiffer are more extensive but inadequate, and have been shown to be unreliable by the *Διηγήσεις* which appeared eleven years later. Yet even after the publication of the *Διηγήσεις* the poem was generally disregarded.

TEXT OF IAMBUS III<sup>5</sup>

Ἐ[ι]θ' ἦν ᾧ[ναξ] ὥπολλον, ἥνικ' οὐκ ἦν

]αὶ καὶ σὺ κάρτ' ε[.].μᾶσθε

]·[ ]·[ ].ζεν·

[ ]

5

].[

].ις αὐτ' ἐποίησεν·

]νέρθε δεῖ κεῖ[σ]θαι

]λιστὶ δ' οἰκεῦμεν

]ξόη μετέστραπται

10

]α Φοῖβε, ληκῆσαι

]ν· οὐντραφεῖς δ' ὑμᾶ·

]εκεῖνος ὥνθρωπος

]...καὶ ψη..ς

About 15 verses missing

.....]σωγ[.].ρ Εὐθύδημογ ἡ μῆτηρ

15 .....].ανα. νῦν οὐδὲ πῦρ ἐναύονσιν

.....] χαῖρ' ἔφοσα .[.].ν. λῶι [σ]υναντήσας

..] δέξιὴν ἔδωκε κ.πα.. σπιλάγχνα

.[...]ν ἐν ἵεραῖς εἶπεν [...]ραις ἥκειν

καὶ γαμβρὸγ ..φ.. .α[.] φίλον θέσθαι

20 ..γ[...]..χε[.]ν κρηγύνως ἐπαιδεύθην

..[ ]φρόνησα τώγαθὸν βλέψαι

].τε καὶ θεὸν ἀπρηγεῦνται

].μόχθηρος ἔξεκνήμωσ. [

].ν μοι τοῦτ' ἀν ἦν ὀνήισ[το]γ

25 .]γ[.].[.] κ[νβῆ]βη τὴν κόμην ἀναρίπτειν

Φρύγ[α] πρ[ὸς] αὐλὸν ἡ ποδῆρες ἐλκοντα

<sup>5</sup>The text and the apparatus criticus given here are derived from Lobel, *op. cit.*; the text of the *διήγησις* which follows is that of Vogliano, *op. cit.* It should be stated here that the various "supplements" offered in the comments on the text are not to be regarded always as an attempt to reproduce Callimachus' own words; their purpose is rather to show that the interpretation offered does not go beyond the limits of the iambic verse; for this reason Lobel's critical comments are on occasions apparently disregarded.

\*Αδω[ν]ι, αἰαῖ τῆς θεοῦ, τὸν ἄνθρωπον  
ἰηλεμίζειν· γῦν δ' ὁ μάργος ἐς μούσας  
ἔνευσα· τοιγὰ[ρ] ἦν ἔμαξα δε. [.]'. σω.

2. Lobel has a stop after *ai*.  
 14. Apparently [.]*πρεν*, but the ink has run and perhaps ..*ρεν* should be written.  
 15. Before *ανα* an upright stroke compatible with *μ*, *ν*, *π*; after *ανα* a narrow letter, *ι* or *σ*, of which the top is perhaps preserved.  
 16. [.]*.ιν.λωι*: [*κ*]ην οδωι not suggested by the remains but perhaps not to be ruled out.  
 17. Perhaps *παρα* may be read. Of *σπ* only specks remain.  
 18. *ιερας* corrected from *ειρας*; in the second half of the line *ημερας* is possible, if the appearance of a tailed letter before the presumed *ρ* is put down to staining.  
 19. *ηξιωσε* perhaps possible though not suggested by the traces. *κα[ι]* possible. Of *κ* only a speck remains.  
 25. *Ιυ[ι]* may be another tailed letter. Of *ξ* only a speck remains.  
 26. Of *φρ* only specks remain.  
 29. Apparently *Ιή* or *Ιώ*. Apparently not *δειπ[ν]ήσω*.

TEXT OF THE ΔΙΗΓΗΣΙC (Δ, col. VI, 33-40)

[[ει]] Εἰθ' ἦν, ἄναξ ὅπολλον, ἥνικ' οὐκ <η>α  
Καταμέμφεται τὸν καιρὸν ὡς πλούτου  
35 μᾶλλον ἡ ἀρετῆς ὄντα, τὸν δὲ [[τονδε]]  
πρὸ αὐτοῦ ἀποδέχεται ὃς τῆς ἐναν-  
τίας ἦν τούτων γνώμης· παρεπι-  
κόπτει δὲ καὶ Εὐ<θύ>δημόν τινα, ὡς  
κεχρημένον τῆ<ι> ὥρα<ι> <πρὸς> πορισμόν, ὑ-  
40 πὸ τῆς μητρὸς πλουσίω<ι> συσταθέντα.

33. ed. pap.

38. *ευδημον* pap., corrected by Lobel; cf. Vitelli in Coppola, *Cirene*, p. 84, n. 1; Herter, *Jahresb. d. Altertumswiss.*, CCLV (1937), p. 164; Vogliano, *P. Univ. Milan*, I (1937), p. 134.

39. *ωρα πορισμον* pap., corrected by Wifstrand and Pohlenz. *πορισμῶ<ι>* Lobel, Schmid.

TRANSLATION

“‘Lord Apollo, I wish it were (the time) before I was born . . .’ Callimachus criticizes the age as being more interested in wealth than in virtue, and he approves of the preceding age as being the opposite of the present in its views. He also reproves one Euthydemus for exploiting his youthful beauty for profit, after being associated with a wealthy man by his mother.”

## TEXTUAL COMMENTARY

vv. 1 f. Callimachus clearly begins with a hopeless wish that he were living at some time before he was born; the time referred to must have been defined in v. 2. Here *ε..μᾶσθε* must be the remains of a verb in the second person plural, and the structure of the sentence requires an imperfect tense; a probable supplement is *ἐτιμᾶσθε*. The subject of this verb is only partially preserved in *καὶ σύ*; the other part surely preceded *καὶ σύ*, and traces of it may remain in *]αε<sup>6</sup>*. I am inclined, therefore, to disregard the middle stop read by Lobel and to fill out the line *ὅθ' αἴ τε Μοῦσαι καὶ σὺ κάρτ' ἐτιμᾶσθε*. This makes satisfactory sense, fitting both the *διήγησις* and the rest of the poem. For the combination of the Muses and Apollo, cf. the first verse of Iambus XIII (Δ, col. IX, 32 = frag. 83c Schn., frag. 19 Pf.): *Μοῦσαι καλαὶ κάπολλον, οἴς ἐγὼ σπένδω*.

vv. 6 f. *]νέρθε δεῖ κεῖσθαι* immediately recalls the familiar verses of Horace, *Odes*, III, 3, 49 f.: *aurum inrepertum et sic melius situm / cum terra celat*; Callimachus wishes that the wealth of precious metals, which according to the *διήγησις* he regarded with disfavor, had never been brought to light. A formula frequently found in such laments is the question, Who was responsible for this innovation?, some comment on the hardihood of the innovator, or a wish for his damnation; cf., for instance, Callimachus, frag. 35c Schn. (= Catullus, LXVI, 48-50); Aratus, *Phaenomena*, 130-132; Tibullus, I, 4, 59 f.; 10, 1; III, 2, 1 f.; Propertius, I, 17, 13 f., II, 6, 27-32; Horace, *Odes*, I, 3, 9-12.<sup>7</sup> A question is probably to be seen in v. 6, where the sense may have been *— εἴ τινι μον τ]ίς αὐτ' ἐποίησεν*; followed by *τίς πρῶτος ἐξώρυξε;* *]* *νέρθε δεῖ κεῖσθαι*. Though no claim is made that Callimachus' words are reproduced in this supplement, it may be well to point out that such a succession of abrupt questions is not alien to the style of Callimachus' *Iambi*; cf. Iambus IV, *P. Oxy.* 1011, fol. V verso, lines 3-4, fol. V recto, lines 6 and 9 (= frag. 9 Pf., 220 f., 266, and 269).

<sup>6</sup> Pfeiffer (*ed. maior*) apparently recognized the difficulty caused by the lack of a plural subject and suggested, with some hesitation, the reading *έφορμᾶσθαι*.

<sup>7</sup> On *εὐρήματα* and *εὐρεταί* in general, cf. Fr. Leo, *Plautinische Forschungen* (2nd ed., Berlin, 1912), pp. 151-54.

vv. 8 f. Yearning for the past is followed by a picture of the evils of the present. This apparently begins in v. 8, the meaning of which is far from obvious; but v. 9 is clear enough (cf. ἀνέστροφαν γὰρ τὴν ζόην ἡμῶν οὐτοι, *P. Lond.* 155 verso, line 30 and the comments of G. A. Gerhard, *Phoinix von Kolophon* [Leipzig, 1909], p. 167); in the words of Propertius, II, 8(A), *γ, omnia vertuntur*, and, as we shall see from further investigation, *certe vertuntur amores*. *οἰκεῦμεν* presumably means "we live" or "we conduct ourselves,"<sup>8</sup> and the mode of conduct is hidden in the fragmentary adverb *]λιστι*. Now *αιολίζω* is explained in the scholia on Theocritus, I, 56 by *ἀπατῶ*, and Stephanus suggests as translations *decipere* and *fraudulenter et dolose agere more Aeolum*; if the adverb *αιολιστί* bore a meaning related to this use of the verb, it would be a satisfactory supplement; but no such use is known to me.

v. 10. Here we meet one of the pursuits of the age decried by Callimachus. The word *ληκῆσαι*, at present found in Liddell and Scott under *ληκέω*, to crack, crackle, should rather be assigned to *ληκάω* = *λαικάζω*; Hesychius defines *ληκάσθαι* by *περαίνεσθαι*, and Suidas, giving *κινώμεθα* as the equivalent of *ληκώμεθα*, cites Aristophanes, *Thesm.* 493 f.: *ὅταν μάλισθ' ὑπό του ληκώμεθα / τὴν νύχθ*;<sup>9</sup> the form used by Callimachus is given by Photius with the interpretation *παῖσαι· καὶ ἐπὶ τοῦ πλησιάσαι τίθεται*; this is followed by a reference to Pherecrates (*C. A. F.*, p. 198, frag. 177): *ληκούμεσθ'* *ὅλην τὴν νύκτα*, where the equivalent *διαπαιζόμεθα* is given. The *]ν* of v. 11 is probably the final letter of the verb on which *ληκῆσαι* depends.

vv. 11 f. A particular class of degenerates is now singled out for attack. The pronoun *ὑμῖν* must refer to the Muses and Apollo, who were addressed at the beginning of the poem; it is just pos-

<sup>8</sup> Cf. Euripides, frag. 714, Nauck<sup>2</sup>: *συίκρ' ἀν θέλοιμι καὶ καθ' ἡμέραν ἔχων / ἀλυποί οἰκεῖν μᾶλλον ἢ πλούτῶν νοσεῖν*; Euripides, *Iph. A.* 1507: *ἔτερον αἰῶνα καὶ μοῖραν οἰκήσομεν*. A usage close to this is found in Isocrates, *Areop.* 53: *τὴν εὐδαιμονίαν ἐδοκίμασ' ἐκ τοῦ σωφρόνως οἰκεῖν*; *Panath.* 132-3: *τούτους . . . ἐν ἀπάσαις ταῖς πολιτείαις καλῶς οἰκήσειν, καὶ πρὸς σφᾶς αὐτοὺς καὶ πρὸς τοὺς ἄλλους*; *Span of Horses* 47: *πολὺ γὰρ ἀθλιώτερον παρὰ τοῖς αὐτοῦ πολίταις ἡτιμωμένον οἰκεῖν ἢ παρ' ἑτέροις μετοικεῖν*.

<sup>9</sup> The reading of MS N here is *κινώμεθα*; R has *ληκώμεθα* corrected by a later hand to *κινώμεθα*. According to Hotibius (Fr. Bothe) and van Leeuwen, the form *ληκᾶν* or *ληκεῖν* should also be restored in Aristophanes, *Thesm.* 291.

sible that they were actually named in v. 12 (Μοῦσαι καλαὶ καὶ Φοῖβ]ε, κεῖνος ὄνθρωπος), though the repetition of Φοῖβε so soon after v. 10 is somewhat disquieting. The meaning seems clear, however; even those who have been nurtured in the study of literature are guilty of some depravity.

vv. 14-29. The more nearly complete state of the second half of the poem is deceptive, in raising hopes which cannot easily be realized; for in vv. 14-23, at least, certainty of interpretation is not to be attained. One can be certain, however, that Coppola was wrong in suggesting that a marriage contract was discussed here;<sup>10</sup> nothing was further from Callimachus' mind in this poem than marriage.

vv. 14 f. πῦρ ἐναύονσιν at first sight recalls two lines in Iambus XIII (P. Oxy. 1011, fol. VI verso, 32 f. and fol. VI recto, 13 f. = frag. 9 Pf., 334 f. and 348 f.), where Callimachus points out that the best choliambic tradition was derived from Hippoanax, whose successor he himself claimed to be in Iambus I:

\*Ἐφεσον ὄθεν πῦρ οἱ τὰ μέτρα μέλλοντες  
τὰ χωλὰ τίκτειν μὴ ἀμαθῶς ἐναύονται.

But a more satisfactory meaning is obtained in this passage by reference to Herodotus, VII, 231: ἀπονοστήσας δὲ ἐς Λακεδαίμονα ὁ Ἀριστόδημος ὄνειδός τε εἶχε καὶ ἀτιμίην· πάσχων δὲ τοιάδε ἡτίμωτο· οὕτε οἱ πῦρ οὐδεὶς ἔναντι Σπαρτιητέων οὔτε διελέγετο, ὄνειδός τε εἶχε ὁ τρέσας Ἀριστόδημος καλεόμενος. To give a light to one's neighbors was a sacred duty, except in the case of ἀτιμοί. Thus, so far as Euthydemus and his mother are concerned, Callimachus is ἀτιμος; perhaps they treated him as the Spartans treated the "runaway" and would not even speak to him. With this interpretation we may assume that the preceding lines described the severance of relations between Callimachus and Euthydemus and the association of Euthydemus with the wealthy man mentioned in the διήγησις; the sense of the immediately preceding verses may be expressed: ἀφ' ἡμέων (or τῶν Μονσέων) γὰρ Εὐθύδημον ἡ μῆτηρ / ἀπῆγ', ἄναξ· νῦν οὐδὲ πῦρ ἐναύονσιν.

vv. 16-24. This is the least intelligible part of the poem. The general outlines of the picture are reasonably clear; it represents a meeting, probably in the past, between Callimachus and Euthy-

<sup>10</sup> Coppola, *op. cit.*, pp. 85 f. Equally wrong is his view that Euthydemus is the speaker in the latter part of the poem.

demus, the giving of a pledge, and the subsequent breaking of the pledge, because the young man, like the rest of the age, is godless. But the details are not easy to discern, and any attempt to reconstruct them must be highly speculative.

vv. 16 f. The sense may have been: *ὅτε χαῖρ' ἔφησα τῷ καλῷ συναντήσας / τὴν δεξιὴν ἔδωκε*.

vv. 17 f. The reading accepted by Lobel as a possibility, *παρὰ σπλάγχνα*, hardly clarifies the situation. If some solemn pledge were made over the entrails of a sacrificial victim, one would expect rather *ἐπὶ* or possibly *κατά*. On the other hand, if *σπλάγχνα* is used as a synonym for *καρδία*,<sup>11</sup> we may suggest, in view of the uncertainty of the text, some reading such as *καὶ τ' ἐμὰ σπλάγχνα / τέρπων; καὶ τὰμὰ σπλάγχνα* is metrically unsatisfactory.

v. 19. See app. crit.

vv. 20-24. The account of the meeting and the pledge seems to have ended in v. 19. The following verses apparently indicate Callimachus' credulous acceptance of the young man's promise, his high hopes, and his disappointment at Euthydemus' defection. In the translation offered below it is assumed that the troublesome word *ἀπρηγεῦνται*—for which Housman suggested *ἀπρηγεῦντας* as at least offering “good Greek” and having a meaning<sup>12</sup>—is an otherwise undocumented use of the middle voice. For the meaning of *ἔξεκνήμωσε* we must refer to Hesychius, who defines *ἔξεκνημώθη* by *ἔξεφθάρη*.

If the above conjectures be admitted, the sense of the passage may then be expressed:

ὅτε] χαῖρ' ἔφησα [τῷ] κ[α]λῷ συναντήσας  
 τὴν] δεξιὴν ἔδωκε κ[αὶ] τ' ἐ[μὰ] σπλάγχνα  
 τέρπω]ν ἐν ἱεραῖς εἰπεν ἡμέραις ἥκειν  
 καὶ γαμβρὸν [ἥξι]ω[σε κ]αὶ φίλον θέσθαι·  
 κάγὼ τότ', ὅσπερ] κρηγύως ἐπαιδεύθην,  
 ἥσθην τε κά]φρονησα τώγαθὸν βλέψαι.  
 ἀλλ' εὐσεβέσ] τε καὶ θεοὺς ἀπρηγεῦνται

<sup>11</sup> Cf. Theocritus, VII, 99: *παιδὸς ὑπὸ σπλάγχνοισιν ἔχειν πόθον*; Moschus, I, 17: *ἐπὶ σπλάγχνοις δὲ κάθηται* (sc. *Ἐρως*).

<sup>12</sup> C. Q., IV (1910), p. 119. Whatever the quality of the Greek may be, the meaning given by *ἀπρηγεῦντας* is unsuitable; Epicurean insouciance on the part of the gods does not harmonize with the general tone of the poem.

*οι νῦν· ὁ δ' οὖν] μόχθηρος ἐξεκνήμωσε  
τὰ πιστά· νῦν μοι κτλ.*

vv. 24-29. These verses offer little difficulty. The moral Callimachus draws from his experience with Euthydemus is that he might well be employed in other callings than that of poet or teacher. But that cannot be; he has made literature his calling, foolish as that may be.

v. 29. *τοιγάρην ἔμαξα δε[ιπν]ήσω* seems to be the only possible reading, in spite of Lobel's objection to *δειπνήσω*, particularly in view of the fact that Callimachus clearly quotes a proverb found in Macarius (*Paroemiographi*, II, 171): "Hv τις ἔμαξε μᾶξαν ταύτην καὶ ἐσθίετω. It would be difficult to find a reading which gave a more satisfactory meaning to the text: Callimachus has made literature his life work; having made his bed he must lie on it.

#### TRANSLATION

"Lord Apollo, I wish I were living at a time before I was born (when) you and (the Muses) were held in high esteem. (Desire for wealth did not then ruin men's lives.) Who was it that caused (gold) to be (so highly prized? Who first brought it forth from the earth?) It ought still to be buried below. But (now) our life is characterized by (deceit); our whole life has been perverted. Ah, Phoebus! sexual indulgence (is what men prefer;) and he who was nurtured in your midst (Fair Muses and Apollo,) even he (has succumbed to the vices of this age) . . . For Euthydemus' mother, (Lord Apollo, has taken him away from me;) they pay no heed to me now at all. (When) I met the (fair young man) and said, 'How do you do?' to him, he gave me his right hand and then, to my heart's delight, assured me he had come at the best of times, and (thought fit) to regard me as his friend, almost as one of the family. (Then I, who) had been well brought up, (was pleased and) was minded to look for good luck. (But people nowadays) have no regard for (sanctity) or the gods; (at any rate,) the wretch broke (his promise. Now) the best thing for me would be to toss my head in the worship of Cybele to the accompaniment of the Phrygian flute and, wearing a long, trailing robe, to cry in lament for the mortal Adonis, 'Alas, for the goddess!' But, as it happens, my inclinations were towards literature; so I shall (eat) the loaf which I have kneaded."

Whether the conjectural details be accepted or not, it is surely obvious that the Third Iambus is more than a diatribe against *αἰσχροκέρδεια*. There are, naturally, points of similarity with such Hellenistic work as that of the author of *P. Lond.* 155 verso, *P. Bodl. ms. gr. class. f. 1* (P), and *P. Heid.* 310, 1-73,<sup>13</sup> but there is also a personal element in the Callimachus poem which is lacking in the others. We may enjoy a richer appreciation of this element in the poem by a brief reference to some other works of Callimachus—three epigrams and Iambus V.

Of the epigrams no. XXVIII (Wilam.) is interesting in combining, as does Iambus III, the themes of literature and faithless friend :

Ἐχθαίρω τὸ ποίημα τὸ κυκλικόν, οὐδὲ κελεύθωι  
χαίρω τίς πολλοὺς ὕδε καὶ ὕδε φέρει,  
μισῶ καὶ περίφοιτον ἐρώμενον, οὐδὲ ἀπὸ κρήνης  
πίνω· σικχαίνω πάντα τὰ δημόσια.  
Λυσανίη σὺ δὲ ναιχὶ καλὸς καλός—ἄλλὰ πρὶν εἰπεῖν  
τοῦτο σαφῶς, Ἡχώ φησί τις ‘ἄλλος ἔχει.’<sup>14</sup>

If any autobiographical value is to be placed on these epigrams, we may see the causes of Callimachus' inability to hold his friends in *Ep. XLVI* (Wilam.) :

Ως ἀγαθὸν Πολύφαμος ἀνεύρετο τὰν ἐπαοιδάν  
τῷραμένῳ· ναὶ Γᾶν, οὐκ ἀμαθῆς ὁ Κύκλωψ·  
αἱ Μοῦσαι τὸν ἔρωτα κατισχνάνοντι Φίλιππε·  
ἡ πανακὲς πάντων φάρμακον ἀ σοφία.  
τοῦτο, δοκέω, χάλιμὸς ἔχει μόνον ἐς τὰ πονηρά  
τῷγαθόν· ἐκκόπτει τὰν φιλόπαιδα νόσον.  
ἔσθ’ ἀμίν τ’ χάκαστὰς ἀφείδεα ποττὸν Ἐρωτα  
τοῦτ’ εἶπα ‘κείρευ τὰ πτερὰ παιδάριον,  
οὐδὲ ὕσον ἀττάραγόν τυ δεδοίκαμες’· αἱ γὰρ ἐπωιδαί  
οἴκοι τῷ χαλεπῷ τραύματος ἀμφότεραι.

Perhaps a reminiscence of his earlier, leaner days as schoolmaster, if it is not an actual document of that period, this epigram shows

<sup>13</sup> Cf. G. A. Gerhard, *Phoinix von Kolophon* (Leipzig, 1909), and A. D. Knox, *The First Greek Anthologist* (Cambridge, 1923).

<sup>14</sup> For this type of poem, cf. Theognis 579-84 (ἐχθαίρω κακὸν ἄνδρα . . . 579; ἐχθαίρω δὲ γυναικά περίδρομον . . . 581), and *Anth. Pal.* V, 10 (ἐχθαίρω τὸν Ἐρωτα . . .) ascribed to Alcaeus.

us Callimachus seeking to reconcile himself to such disappointments as he experienced with Lysanias and others. That his cure was far from a panacea, however, may be gathered from *Ep. XXXII* (Wilam.):

Οἴδ' ὅτι μοι πλούτου κενεαὶ χέρες, ἀλλὰ Μένιππε  
μὴ λέγε πρὸς Χαρίτων τούμον ὄνειρον ἐμοί.  
ἀλγέω τὴν διὰ παντὸς ἐπος τόδε μικρὸν ἀκούων·  
ναι φίλε, τῶν παρὰ σοῦ τοῦτ' ἀνεραστότατον.

The Fifth Iambus (second of three—nos. III, V, and IX—which deal with *παιδικὸς ἔρως*) is of such interest as to justify a brief digression. From the *διήγησις* (Δ, col. VII, 19-24) we learn that Callimachus attacked a schoolmaster—Apollonius or Cleon by name—for his shameful treatment of certain pupils.<sup>15</sup> Callimachus made his attack “in the guise of a well-wisher (*ἐν ἡθει εὐνοίας*).” This phrase in the *διήγησις*—one of the rare instances in which the *διηγητής* catches the spirit of the poem he summarizes—leads one to look for irony in the fragments of the poem preserved;<sup>16</sup> and we meet it in the very first verse: *ὦ ξεῖνε—συμβουλὴ γὰρ ἐν τι τῶν ιρῶν*. For the words *συμβουλὴ κτλ.* reflect a proverbial expression found several times in Greek literature; it is surely more than mere coincidence that three familiar passages in which the proverb occurs refer to the rearing and education of young men.<sup>17</sup>

In the light of these poems we are better able to estimate Callimachus’ attitude to *αἰσχροκέρδεια* in Iambus III. Here is no moralist speaking; Callimachus has no objections to wealth as such; it is his own lack of it that inspires his complaints, a lack which, he perhaps implies in vv. 24-28, deprives him of his desires as effectively as if he were as incapacitated as Attis. But experi-

<sup>15</sup> On this *διήγησις*, cf. J. Stroux, “Erzählungen aus Kallimachos,” *Philol.*, LXXXIX (1934), pp. 314-19.

<sup>16</sup> *P. Ryl.* 485, 4-10 (beginning of the poem); *P. S. I.* 1216, 12-78 (sadly mutilated fragments of the whole poem). It is clear from the *διήγησις* that Callimachus did not specifically name his victim in the poem. This suggests that the name Euthydemus may have been a pseudonym; we recall that *Εὐθίδημος ὁ καλός* was a devoted follower of Socrates.

<sup>17</sup> Plato, *Theages* 122 B (λέγεται γε συμβουλὴ ιερὸν χρῆμα εἶναι); *Ep.* V, 321 C (ξενικὴν καὶ ιερὰν συμβουλὴν λεγομένην συμβουλεύειν); Lucian, *Rhet. Praec.*, 1 (ιερόν τι χρῆμα τὴν συμβουλὴν οὖσαν).

ence or reason has taught him a certain philosophic detachment; this is what he must expect from being a poet or teacher, and he may just as well accept it as rebel.<sup>18</sup>

The significance of the Third Iambus is not exhausted by its immediate interpretation. There is an unusual similarity between the circumstances of this poem and those of Tibullus, I, 9. There, as here, the poet has been deserted by a young associate in favor of a wealthy seducer, and the experience inspires Tibullus to curse the venality of the age. The punishment of impotence or inability to satisfy his desires is now, however, diverted from the poet himself and uttered as a curse on the seducer (vv. 53-56, 73 f.). The most important divergence lies in the presence in Callimachus of the familiar figure, the *lena*, Euthydemus' mother, for whom there is no counterpart in the Tibullus elegy.

The links between Callimachus and Tibullus are yet stronger. Tibullus, I, 9 is naturally closely connected with two other Marathus poems, I, 4 and I, 8, in the former of which we find other resemblances to Iambus III. The superior virtues of poetry and the poet's criticism of those who reject it for wealth are expressed in vv. 61-70, where Smith, *op. cit.* (see note 18), p. 281, comments: "the ancient theme of the glory of poetry and the superiority of the poet . . . when we reach the elegy is specialized as poetry *versus* gifts, *i. e.* as the poet *versus* his rival the *dives amator*. . . ." The poem under discussion shows us that the theme was developed in its "specialized" form two hundred years and more before Roman elegy. Again, the motive of physical incapacity also appears, but this time it is a curse

<sup>18</sup> Contrast the attitude of Tibullus when his poems fail to satisfy Nemesis (II, 4, 13-15, 19 f.):

nec prosunt elegi nec carminis auctor Apollo  
illa cava pretium flagitat usque manu.  
ite procul, Musae, si non prodestis amanti:  
·  
ad dominam faciles aditus per carmina quaero:  
ite procul, Musae, si nihil ista valent.

Callimachus certainly would not be "obliged to resort to murder and crime or, worse yet, sacrilege" (K. F. Smith, *The Elegies of Albius Tibullus* [New York, 1913], p. 436, on II, 4, 21 ff.); nor would he be reduced to the desperate, suicidal state of Tibullus, II, 4, 55 ff.

levelled against those who reject poetry,<sup>19</sup> and the resemblance to Callimachus' words is even closer than that found in the corresponding verses of Tibullus, I, 9. Cf. Φρύγα πρὸς αὐλὸν of Iambus III, 26 with *et secet ad Phrygios vilia membra modos*, Tibullus, I, 4, 70.

As one contemplates these similarities, a further consideration presents itself. In the fourth elegy of Tibullus' first book the poet stands before a crude statue of Priapus and receives advice; the god acts as a *praeceptor amoris*. Now in Iambus IX, one of those dealing with *παιδικὸς ἔρως*,<sup>20</sup> Callimachus depicts an erast of a certain Philetadas standing before an ithyphallic herm in a palaestra frequented by Philetadas and asking if the herm's peculiar physical condition is due to the frequent sight of the beauty of Philetadas. After a denial of this suggestion the herm declares that his shape may be accounted for by a *μυστικὸς λόγος*, presumably a discussion of his connection with the Cabiri.<sup>21</sup> Here, as in Tibullus, I, 4, the statue gives instruction—not in the matter of love, it is true, but none the less as a *praeceptor* of sorts.<sup>22</sup> But the parallelism does not end here. At the end of the Roman elegy there is a sudden, mischievous twist; in the words of Smith, *op. cit.*, p. 287, on I, 4, 73 f., "the best effect of the piece [is] the surprise in the last four lines"; it is a case of "physician, heal thyself" (*ibid.*, p. 286). And this is true also of the Ninth Iambus; on the completion of his *μυστικὸς λόγος* the herm turns on his questioner and, in the words of the διήγησις,

<sup>19</sup> Cf. Ovid, *Ibis* 453-56:

attonitusque seces, ut quos Cybeleia mater  
incitat ad Phrygios vilia membra modos.  
deque viro fias nec femina nec vir ut Attis,  
et quatias molli tympana rauca manu.

Here we have a clear reminiscence of Tibullus combined with resemblances to Callimachus, Iamb. III, 24-28. Since Callimachus was not averse to repetition of his own words and themes, this passage in the *Ibis* may be fully Callimachean and may also favor the supposition that Tibullus was influenced by Callimachus.

<sup>20</sup> Known only from the διήγησις (Δ, col. VIII, 33-40); the lemma reads 'Ερμᾶ, τί τοι τὸ νεῦρον, ὡ γενειόλα.

<sup>21</sup> Cf. Herodotus, II, 51; Dionysiodorus in the Schol. to Apollonius Rhodius, *Argon.*, I, 917. The Lemnian Casmilus was later identified with Hermes.

<sup>22</sup> Perhaps Iambus V represents another modification of the *praeceptor* motive.

ἐπὶ κακῷ δὲ (sc. φησίν) αὐτὸν φιλεῖν τὸν Φιλητάδαν. One is tempted to quote Smith yet once more: "The satire of course lies in the contrast between the assumed importance of the teacher and the real insignificance of his theme" (*op. cit.*, p. 288, on I, 4, 79 f.).

Felix Jacoby, the Tibullian "separatist," in a brief discussion of this Marathus poem<sup>23</sup> illustrates his belief that the poems of Tibullus are in general little more than a gifted amateur's hodge-podge of borrowed motives by the statement: "I. 4 zerfällt in zwei Teile von sehr ungleicher Länge, deren zweiter mit seiner Beziehung auf des Dichters eigene Liebeschmerzen die ganze Elegie aus einer objektiv erzählenden zu einer subjektiven macht." He further asserted that parts I (vv. 1-74) and II (vv. 75-84) had no original connection; the second of these sections, moreover, contains an adaptation of Callimachus, frag. 11 Schn.;<sup>24</sup> this has been skillfully combined with an elaboration of a Hellenistic Πριάπειον (vv. 1-74).<sup>25</sup> In this reference to Callimachus Jacoby was perhaps nearer the mark than he realized; is it not possible that the skillfulness of the combination he speaks of is due in some measure to the fact that Tibullus already knew of a poem, Callimachus' Ninth Iambus, which was marked by a similarly humorous use of the ἀπροσδόκητον?

Returning to the Third Iambus we note that it combines criticism of Callimachus' contemporaries with a purely personal complaint about the defection of Euthydemus. Censure of the modern or Iron age, of its degeneracy and greed, and an expression of one's preference for some earlier, primitive age are, of course, commonplaces in ancient literature from the time of Hesiod on. An interesting example of Hellenistic date in elegiac meter is preserved in fragmentary state in *P. Oxy.* 14 (cf. J. U. Powell, *Collectanea Alexandrina* [Oxford, 1925], pp. 130 f.). Between the treatment of the theme in Greek works hitherto known, however, and that of many of the Latin instances there is a significant difference, the linking of the criticism of the

<sup>23</sup> *Rh. Mus.*, LXV (1910), pp. 56-60.

<sup>24</sup> γηράσκει δὲ γέρων κεῖνος ἐλαφρότερον.

κοῦροι τὸν φιλέουσιν, ἐδν δέ μιν ολα γονῆα

χειρὸς ἐπ' οικείην ἄχρις ἄγονοι θύρην.

<sup>25</sup> Jacoby, *op. cit.* (see note 23), p. 58: "Diese Verbindung von Priapeion und Kallimachos ist, wie gesagt, nicht ungeschickt . . ." Cf. also *op. cit.*, p. 42.

modern age or its corollary, praise of simple rustic life, with an erotic theme. It is true that M. Pohlenz in his essay, "Die hellenistische Poesie und die Philosophie" (Xáptes Friedrich Leo [Berlin, 1905], p. 105) made the bold statement: "Unter seinen (sc. Theokrits) Freunden werden die meisten wohl wie Lykidas verstanden haben, das bukolische Kostüm, die Freude am Landleben mit der Erotik zu verbinden." But this assertion is presumably based in part on the thesis which he tried to establish, that Philetas wrote elegiac compositions of a subjective erotic and idyllic nature. Somewhat unfortunate, therefore, for Pohlenz' theory—which had and has no extant compositions to substantiate it—is the fact that the first documents discovered which in any way satisfy his requirements and which undoubtedly resemble Roman elegy should be among the *Iambi* of Callimachus and should serve to make his hypothesis unnecessary.<sup>26</sup>

In this paper an effort has been made to interpret a poem of Callimachus hitherto practically unknown and to indicate to some extent its place in the tradition of Hellenistic and Roman literature. There has been no desire to deprecate the inventive genius of Tibullus, though certain relationships between the Alexandrian poet and the elegist have been discussed; the "Quellenforschung" method of literary criticism does not commend itself highly to the writer, if its sole purpose is destructive.<sup>27</sup> The purpose has

<sup>26</sup> It is necessary also to modify Pohlenz' estimate of Callimachus, *op. cit.*, p. 107: "Denn so gross Kallimachos als Dichter ist, in dem Urteil *ingenio non valet, arte valet* ist doch das Körnchen Wahrheit enthalten, dass er nie seine subjektiven Empfindungen frei ausströmen lässt, sondern stets bewusst in die Form bringt, die ihm durch die Gesetze seiner Ästhetik diktiert wird. Er will ja der *ὑδροπότης* sein, der *μεθυπλῆξ Ἀρχιλοχος* (223) ist ihm verhasst. Nichts ist bezeichnender für ihn als das Epigramm."

<sup>27</sup> Certain parallels may perhaps be drawn between verses in Tibullus' Marathus poems and parts of Iambi III, V, and IX. In Tibullus, I, 9—from v. 11 of which we might well derive a caption for Iambus III (*muneribus meus est captus puer*) —, v. 37, *at non ego fallere doctus*, resembles Iambus III, 20, *κρηγύως ἐπαιδεύθην*; the tone of vv. 31 f., *tunc mihi iurabas*, etc. resembles that of Iambus III, 17-19 (cf. also Tibullus, I, 9, 1 f.). The words *at te poena manet* (Tibullus, I, 8, 77) recall *P. S. I.* 1216, line 32 (Iambus V), *ὡς δ' ἀν σε θωὴ λάβοι*, and Tibullus, I, 4, 83 f., *Parce, puer, quaeſo, ne turpis fabula fiam, / cum mea ridebunt vana magisteria*, suggests *P. S. I.* 1216, line 40 (Iambus V), *ἀ, μή με ποιήσης γέλω*. We may perhaps compare the wish, *tunc mihi vita foret*

been rather to demonstrate that in early Hellenistic literature there were poems corresponding closely to at least some Roman elegies both in tone and content, but differing in form; the similarity between Iambus III and Tibullus, I, 9 cannot be denied, and it is possible that Tibullus was acquainted with Iambi V and IX or with the tradition which they represent. Now Callimachus had clear views on poetic theory—clear to himself if not to us—and, though we may not arbitrarily assume that Callimachus' views would be fully shared by the Alexandrians, his practice in these, our only extant pertinent compositions, must be of great significance. The Alexandrian poet apparently regarded longer elegiac forms as an unsuitable vehicle for the expression of personal emotion; he could expand the dedicatory distich into a brief poem in elegiac meter (*Ep. V*, Wilam.) and yet further into an aetiological narrative elegy (*Coma Berenices*); but for the expansion of the short elegy that revealed his innermost emotions the form he chose was iambic.

We may agree, then, with the final statement in Pohlenz' essay (see above, p. 14): "Es wäre ganz unverständlich, wenn die hellenistische Poesie, die sich der Philosophie ebenbürtig fühlt, kein Organ gefunden hätte, ihre subjektiven Gefühle und Lebensanschauungen direkt zum Ausdruck zu bringen"; but we are not compelled to accept his suggestion that elegy was the medium chosen.<sup>28</sup>

CHRISTOPHER M. DAWSON.

YALE UNIVERSITY.

---

(Tibullus, I, 10, 11), so often discussed by editors, with the first verse of Iambus III, *εἰθ’ ἦν, ἀναξ ὥπολλον, ἡνίκ’ οὐκ ἦσα*. Finally the proverb-like endings of Tibullus, I, 2 and I, 5 resemble the final verse of Iambus III.

<sup>28</sup> Cf. *op. cit.*, p. 106: "Wir müssen an alte hellenistische Gedichte denken. Und da kann nur die Elegie in Frage kommen. Diese ist das Organ, durch das Männer wie Mimnermos und Solon ganz subjektiv ihr Lebensideal aussprechen, so subjektiv, dass persönliche Polemik zugelassen wird." And further, p. 107: "man wird den vorhin gezogenen Schluss nicht von vornherein ablehnen dürfen, dass es vor Theokrit Elegieen gegeben hat, in denen . . . ein subjektives Lebensideal entwickelt wurde." The discovery of the significance of Callimachus' Third Iambus also may render less necessary such comments as that of Pohlenz, p. 106, n. 2: "'Streng genommen elegisch' nennt Heinze den Stoff von [Horaz'] ep. 2. Die jambische Form wurde durch den Schluss nötig."

## THE TEXT AND INTERPRETATION OF THE THEodosian Code 7, 20, 2.<sup>1</sup>

The sole witness for the text of this constitution is the manuscript R, the evidence of which is exceptionally reliable, in spite of numerous faults, most of which are slight, characteristic of manuscripts of its period and easily emendable.<sup>2</sup>

The text as found in R, and transcribed line for line of the MS, is as follows:

### 74 verso

1. Id. A. Cum introisset Principia et salutatus esset a prae-
2. fectis et Tribunis et viris Eminentissimis, adclamatū
3. est, "Auguste Constantine, Dii te nobis serven. Vesta
4. salus nostra salus. Vere dicimus, iurati dicimus." Aduna-
5. ti Veterani exclamaverunt: "Constantine Aug. quo nos
6. Veteranos factos si nullam Indulgentiam habemus?"
7. Constantinus A. dixit: "Magis magisq. Convetoranis
8. meis beatitudinem augere debeo quam minuere." Vic-
9. turinus Veteranus dixit: "Munerib. et onerib. uni-
10. versis locis conveniri non sina\*mur." Constantinus
11. A. dixit: "Apertius indica quae sunt maxime Munera
12. quae vos contumaciter gravant." Universi Vete-
13. rani dixerunt: "Ipse perspicis<sup>3</sup> scilicet." Constā-
14. tinus A. dixit: "Iam nunc Munificentia Mea omnib.
15. Veteranis id esse concessum perspicuum sit. Ne
16. quis eorum nullo munere civili neq. in operib. pu-
17. blicis conveniatur, neq. in nulla conlatione, neque

### 75 recto

18. a magistratib. neq. vectigalib. In quib. cumq. Nun-
19. dinis interfuerint nulla Proponenda dare debebunt.

<sup>1</sup> For bibliography see Clyde Pharr, "Text and Interpretation of the Theodosian Code 6, 4, 21," in *A. J. P.*, LXVI (1945), pp. 50-58, especially notes 1 and 3.

<sup>2</sup> The author is preparing a full description of this manuscript and a list of its various characteristics that are essential for any sound textual studies. The only systematic account that has ever been prepared is that of Mommsen on pp. cxlii-clii of his edition. Mommsen's treatment is entirely inadequate, since he has omitted many important features, and he has made a number of demonstrably incorrect statements.

<sup>3</sup> Corrected, possibly by the same hand, to *perspicis*.

20. Publicanis quoq., ut solent agentib. superconpelle-  
 21. re ab his Veteranis amoveantur. Quiete postu labo-  
 22. res suos perenniter perfruantur. Fisco Nostro quo-  
 23. q. eadem Epistula interdiximus ut nullum omnino  
 24. ex his inquietaret, sed liceat eius emere et vindere  
 25. ut integra Beneficia eorum sub saeculi nostri otio  
 26. et pace perfruantur, et eorum senectus quiete pos-  
 27. labores perfruatur. Filios quoq. eorum defendant  
 28. decertationes quae in patris persona fuerunt, quos-  
 29. q. optamus florescere sollicitius, ne si contumaces  
 30. secundum eosdem Veteranos conprobari potuerint  
 31. decimentur his Sententiis, cum Praesidali Officio  
 32. adiungentur probabilius Iussionem Meam. Cura-  
 33. bunt ergo Stationarii milites cuiusq. loci Cohortis  
 34. et parentes eorum desperationem et ad Sanctimoniam  
 35. Conspectus Mei sine ulla deliberatione remittere, ut sint  
 36. salvi cum SENUAS consecutus poenas Indulgentiae.  
 37. Dāt. Kal. Mart. in Civitate Velovocorum Constantino  
 38. Aug. vi. et Constantio Caes. Conss."

This text is fundamentally sound. There is one corruption, SENUAS 36, but it apparently represents an unimportant word or words, since the passage makes good sense even though SENUAS be omitted, and apparently this corruption can be satisfactorily corrected by a very slight emendation. The other necessary changes are so slight and of such a character that similar modifications are regularly and systematically made by editors of manuscripts, who do not think of such changes as emendations. They fall within large, well recognized groups of orthographic variations, found throughout most manuscripts of this and later periods, and they are fairly common to the great majority of Latin manuscripts. The difficulties found in this passage are primarily those of interpretation, rather than of text. As in most such cases, the first task of the critic is to interpret the text as it stands, resorting to emendation as little as possible and only when all else fails.

A few key words in this passage have been misunderstood. Some of these words are technical and all of them are highly specialized in meaning. If these words are properly interpreted the passage makes good clear sense, without any emendation. These words are *Indulgentia* 6 and 36, *decimentur* 31, *Sententiis* 31, and *desperationem* 34. In addition it is important to observe the technical echoes in *Munificentia* 14, *Epistula* 23, *Bene-*

ficia 25 and *Iussione* 32.<sup>4</sup> A second difficulty in the understanding of this passage arose from the slightly incorrect and relatively unimportant reading *perfruantur* 26.

The heart of the trouble is found in 29-36. Thus Gothofredus<sup>5</sup> says of this passage: "Atenim insanabilia ista videntur 'ne si contumaces,' etc." In his notes to the passage Gothofredus says: "Sententiae sequentes (quae a Cod. Just. absunt) si quae hoc Codice, corruptissimae et obscurissimae. . . . Et hoc quidem caput, si quod aliud, foedissime depravatum et conclamatum est. . . . Sed verba quae sequuntur inemendatissima sunt. 'Ut sint salvi,' etc." Gothofredus then proceeds to emend the text as follows: 23 *interdicimus*; 26 *perferantur*; 28-29 *eosque*, vel *quos et*, vel *quasque (decertationes)*, vel *ut quos*; 29 *solito citius*; *nam si*; 32 *pro Iussione mea*, vel *probabilius iuxta Iussionem Meam*; 34 *et parentes eorum et desperationem*, vel *explorantes eorum desperationem eos ad*; 31 *decimo aetatis sextoque*; 35-36 *ut si sint salvi consonas consequantur poenas indulgentiae*.

Beck<sup>6</sup> reads: 16 *ullo*; 17 *ulla*; 26 *permaneant*, aut simile quid; 32 *per Iussionem*; 34 *parentes eorum et desperationem ad*.

Haenel reads: 26 *praestentur*; 29-36 *ne si . . . potuerint, eximantur his sententias cumque Praesidali Officio adiungentur probabilius Iussione Mea*. Of Beck's conjecture on 34, Haenel<sup>7</sup> says *probabiliter*. Of Gothofredus' conjecture on 35-36 he says *nescio meliorem emendationem*.

Mommsen<sup>8</sup> reads: 26 *perdurent similiave*. In 32 he punctuates *adiungentur*. *Probabilius. . . .* In his critical note to 27-36 Mommsen says: "Corrupta quae sequuntur adhuc medicos quidem neque tamen medicinam invenerunt; ego talia temptavi, *Aesculapium ludens*: Filios quoque eorum defendant [certationes] quae in patris persona [iuverunt quos] optamus florescere sollicitius, ne si contumaces secundum eosdem veteranos conprobari potuerint, decimentur [nostris] sententiis, cum [a] praesidali officio [adducentur] probabili [ei]us [studio] ius-

<sup>4</sup> The lexicons do not treat these terms adequately and it is only from a study of the actual usage of the Theodosian Code that their proper meaning may be observed.

<sup>5</sup> In his Notes and Commentary *ad loc.*

<sup>6</sup> *Ius Civile Anteiusinianum* (Berlin, 1815).

<sup>7</sup> *Loc. cit.*

<sup>8</sup> *Loc. cit.*

sion[e] me[a]. Curabunt ergo stationarii milites cuiusque loci cohortis [ad] parent[um] eorum desperationem [peccantes] ad sanctimoniam conspectus mei sine ulla deliberatione remittere, ut sint salvi cum [consonas (*sic Gothofredus*) parentes] conse[qu]antur poenas indulgentiae.

Contrasted with previous editors, and especially with Mommsen, Krueger<sup>9</sup> prudently holds closely to the manuscript tradition, but he abandons 27-36 as hopeless, saying: "eorum quae # 7 et 8 (i. e. lines 27-36) continentur ne argumentum quidem ex mendosa lectione elicias." True to his general plan he retains *perfruantur* in line 26, although it apparently has been introduced by a dittography caused by the same word in 22 and *perfruatur* in 27.

The difficulties of this passage have been greatly increased by the various conjectural emendations that have been proposed, and I suggest only three very slight modifications:

1. In line 26 I propose to read *proferantur* instead of *perfruantur*.
2. In line 32 I propose to read *Iussione Mea* instead of *Iussionem Meam*.
3. In line 36 I propose to read *semel has* instead of *SENUAS*.

To make clear how slight these proposed changes are, it is necessary to indicate some of the characteristics of R that are important for the textual criticism of this passage. Then a satisfactory interpretation must be given of the significant words that have so long been misunderstood.

Some of the characteristics of R<sup>10</sup> that are important for this discussion are:

1. Final *m* is often added or omitted,<sup>11</sup> as *origine* for *originem* 6, 27, 4, 3-4; <sup>12</sup> *nullam* for *nulla* 6, 4, 11, 2; *posthabitam*

<sup>9</sup> *Loc. cit.*

<sup>10</sup> Only those that are important for this discussion are here listed. Most of these characteristics are not peculiar to R but they are very common in manuscripts of this period, as well as in those of later periods. Though not so common in earlier manuscripts, they are not at all rare from the fourth century onward.

<sup>11</sup> No mention of this by Mommsen.

<sup>12</sup> The numbers in the citations are according to the text of Mommsen

*taciturnitatem* for *posthabita taciturnitate* 6, 4, 22, 7; and many others, such as *Iussionem Meam* for *Iussione Mea* 32, according to my conjecture.

2. *O* and *u* are often interchanged,<sup>13</sup> as *decorionum* for *decurionum* 6, 2, 26, 3; *procunsule* for *proconsule* 6, 4, 15, 2; *successures* for *successores* 6, 4, 17, 5; and many others, such as *Victurinus* for *Victorinus* 8-9.
3. *E* and *i* are often interchanged,<sup>14</sup> as *Auriliano* for *Aureliano* 6, 4, 26, 1, and regularly throughout; *acepiant* for *accipiant* 6, 26, 17, 11; *servientis* for *servientes* 7, 4, 22, 5; *debetas* for *debitas* 7, 4, 32, 3<sup>2</sup>; *vedelicet* for *videlicet* 7, 12, 2, 3; *cercensium* for *circensium* 6, 4, 4, 3; and many others, such as *vindere* for *vendere* 24.
4. *Per*, *pro*, and *prae* are confused,<sup>15</sup> probably owing, at least in part, to the use of their abbreviated forms that were misunderstood by copyists. Thus *pervexisset* for *provexisset* 7, 3, 2, 3; *pertendant* for *praetendant* 7, 12, 1, 4; *proferat* for *praferat* 7, 22, 7, 6; *propostera* for *praepostera* 7, 22, 11, 4; and many others such as *prspicis* for *perspicis* 13, and *proferantur* for *perfruantur* 26, according to my conjecture.<sup>16</sup>
5. A letter or letters could be lost, or added, as *dutet* for *dubit* 6, 6, 1, 6; *patrimoniis* for *patrimonii* 6, 2, 15, 8; *evocatoriae* for *evocatoriae* 6, 23, 3, 17; *praetoris* for *praetori* 6, 4, 16, 1; *anteferi* for *anteferri* 6, 6, 1, 8; *libelitate* for *liberalitate* 6, 2, 25, 2; and many others, such as *serven* for *servent* 3; *prspicis* for *perspicis* 13; *Publicanis* for *Publicani* 20; *postu* for *post* 21; *eius* for *eis* 24; *pos* for *post* 26; and *sem* for *semel* 36, according to my conjecture.
6. *H* is often added or lost, as *hordine* for *ordine* 6, 27, 7, 4<sup>2</sup>; *aut* for *haud* 6, 19, 1, 3; *hii* for *ii* 6, 3, 3, 1<sup>2</sup>; *actenus* for *hactenus* 7, 13, 6, 3<sup>2</sup>; 8, 5, 48, 7; 8, 6, 1, 7; 8, 7, 13, 1-2<sup>2</sup>;

and are given in the following order: the book, the title, the constitution, the line. The figure 2, when added as adscript to a line number, denotes that this number is found on the second page of the constitution as printed in Mommsen's edition.

<sup>13</sup> Mommsen, *loc. cit.*, "Non permutantur."

<sup>14</sup> Mommsen, *loc. cit.*, "Raro permutantur," and he cites only three cases, all of them proper names.

<sup>15</sup> Not listed in Mommsen.

<sup>16</sup> Cf. No. 7 below.

(co)hercendos for (co)ercendos 6, 27, 18, 1<sup>2</sup>; exauriri for exhaustiri 6, 35, 7, 13; abuerit for habuerit 8, 5, 1, 7; and many others, such as as for has 36, according to my conjecture.

7. Metathesis was common, as *csilicet* 6, 2, 15, 4; *mabitionis* 6, 4, 22, 14; and many others, such as *perfruantur* for *proferantur* 26, according to my conjecture.

The words that have not been properly interpreted must now be considered. In this passage *Indulgentia* evidently means an Imperial Grant of Special Favor, an Edict of Special Privileges. This is its usual meaning in the Theodosian Code, a broad meaning that is often overlooked. For, when it is used in a technical sense, it was more commonly narrowed from this general signification to the specialized term for a pardon for a crime committed, a remission of punishment, and sometimes a special remission of back taxes.<sup>17</sup> It here denotes special exemptions and privileges of various sorts. Since such a grant was ostensibly due to the imperial mercy and good will, it was called by various names, such as *Indulgentia* (*Indultum*), *Munificentia*,<sup>18</sup> and *Beneficia*.<sup>19</sup> These terms might at times have their non-technical significance and mean merely the Imperial indulgence, munificence, and benefits, and since these meanings shaded off into one another it is sometimes impossible to determine whether one of these words is used in the non-technical or the technical sense. When employed in the strictly technical sense an apparent contradiction might ensue, and an *Indulgentia* or a *Beneficium* might contain severe penal provisions, just as *Indulgentia* in 36, though it must be said that the punishment here mentioned was so mild that it might be considered a mark of special

<sup>17</sup> The article by Kleinfeller in *R. E.*, s. v. *Indulgentia* is quite inadequate and completely overlooks this type of *Indulgentia*. For other examples see *C. Th.*, *Indulgentia* 2, 6, 1, 2; 2, 16, 2, 12; 3, 10, 1, 13; 5, 1, 1, 1<sup>2</sup>; 7, 20, 1, 4; 13, 9, 1, 2<sup>2</sup>, and many others. *Indultum* 1, 9, 2, 7; 4, 15, 1, 2; 6, 23, 3, 9; 15, 2, 5, 2, and many others.

<sup>18</sup> Cf. *C. Th.*, *Munificentia* 1, 9, 3, 4; 9, 42, 17, 8; 10, 10, 9, 1; 10, 10, 15, 3; 10, 10, 23, 6<sup>2</sup>; 10, 12, 2, 11<sup>2</sup>; 11, 1, 37, 2; 11, 20, 1, 5, and many others.

<sup>19</sup> Cf. *C. Th.*, *Beneficium* 1, 1, 4, 1; 2, 4, 5, 6; 2, 16, 2, 11; 2, 17, 1, 11; 2, 17, 1, 31<sup>2</sup>, and many others.

favor that a more severe penalty was not exacted.<sup>20</sup> When the Emperor dispatched an Edict of this kind to the Fisc, as a vitally interested party in legislation dealing with revenues and tax exemptions, the message would be conveyed in writing, the *Epistula* of 23. The contents of this *Indulgentia* embrace an Imperial Command, the *Iussio Mea* of 32. The provisions of the Edict, especially its penal provisions, would be indicated by the *Sententiae* of 31.<sup>21</sup>

*Desperatio* in 34 does not mean despair, its common significance, but means contumacious defiance of the law, desperadoism.<sup>22</sup> *Decimentur* in this passage means to punish severely, not to decimate.<sup>23</sup>

In the light of this evidence I propose that this manuscript should be read:

1. Id(em) A(ugustus). Cum introisset Principia et salutatus  
esset a Prae-
2. fectis et Tribunis et Viris Eminentissimis, adclamatu(m)
3. est: "Auguste Constantine, Dii te nobis serven(t). Vesta
4. salus nostra salus. Vere dicimus, iurati dicimus." Aduna-
5. ti Veterani exclamaverunt: "Constantine Aug(uste), quo  
nos
6. Veteranos factos si nullam Indulgentiam habemus?"
7. Constantinus A(ugustus) dixit: "Magis magisq(ue) Con-  
veteranis
8. meis beatitudinem augere debeo quam minuere." Vic-
9. torinus Veteranus dixit: "Munerib(us) et onerib(us) uni-
10. versis locis conveniri non sin[a]mur." Constantinus
11. A(ugustus) dixit: "Apertius indica quae sunt maxime  
munera

<sup>20</sup> In various Constitutions the Emperor refers to himself as My Mercy (*Mea Clementia, Mea Mansuetudo*), yet "My Mercy" sometimes exacts severe penalties. Cf. *C. Th.*, *Mea Clementia* 7, 1, 6, 4; 7, 4, 21, 4; 9, 16, 12, 5; 9, 40, 16, 20; 12, 1, 14, 1 ff.; 12, 1, 15, 2; 12, 1, 146, 5. *Mea Mansuetudo* 1, 5, 9, 8; 1, 10, 1, 4; 6, 23, 4, 10; 7, 13, 9, 2; 8, 5, 22, 6; 8, 5, 54, 5; 8, 5, 58, 10; 8, 8, 2, 3; 9, 30, 2, 4; 10, 10, 20, 6; 10, 16, 2, 2; 11, 12, 4, 4; 11, 30, 32, 4; 13, 5, 38, 2; 14, 4, 3, 4<sup>2</sup>; 15, 7, 4, 6; 15, 7, 9, 5; 16, 5, 7, 12; 16, 5, 38, 5; 16, 10, 2, 3.

<sup>21</sup> The more or less technical meanings of *Epistula*, *Sententiae*, and *Iussio* are self-evident and do not require any detailed explanation.

<sup>22</sup> The discussion in the *Thesaurus Linguae Latinae* is inadequate. For the proper meaning in this passage cf. *C. Th.*, 2, 1, 1, 4, where it must mean exactly the same as it does here.

<sup>23</sup> Cf. *T. L. L.*, s. v. *Decimo*.

12. quae vos contumaciter gravant." Universi Vete-
13. rani dixerunt: "Ipse p(e)rspicis scilicet." Consta(n)-
14. tinus A(ugustus) dixit: "Iam nunc Munificentia Mea  
omnib(us)
15. Veteranis id esse concessum perspicuum sit. Ne
16. quis eorum nullo munere civili neq(ue) in operib(us) pu-
17. blicis conveniatur, neq(ue) in nulla conlatione, neque
18. a magistratib(us) neq(ue) vectigalib(us). In quib(us)  
cumq(ue) Nun-
19. dinis interfuerint nulla Proponenda dare debebunt.
20. Publicani quoq(ue), ut solent agentib(us) superconpelle-
21. re ab his Veteranis amoveantur. Quiet post labo-
22. res suos perenniter perfruantur. Fisco Nostro quo-
23. q(ue) eadem Epistula interdiximus ut nullum omnino
24. ex his inquietaret, sed liceat eis emere et vendere
25. ut integra Beneficia eorum sub saeculi nostri otio
26. et pace proferantur, et eorum senectus quiete pos(t)
27. labores perfruantur. Filios quoq(ue) eorum defendant
28. decertationes quae in patris persona fuerunt, quos-
29. q(ue) optamus florescere sollicitius, ne si contumaces
30. secundum eosdem Veteranos conprobari potuerint
31. deimentur his sententiis, cum Praesidali Officio
32. adiungentur probabilius Iussione Mea. Cura-
33. bunt ergo Stationarii milites cuiusq(ue) loci Cohortis
34. et parentes eorum desperationem et ad Sanctimonia(m)
35. Conspectus Mei sine ulla deliberatione remittere, ut sint
36. salvi cum sem(e)l (h)as consecuntur poenas Indulgentiae.
37. Data Kal. Mart., in Civitate Velovocorum Constantino
38. Aug(usto) vi. et Constantio Caes(are) Cons(ulibus)."

Thus a few slight and self-evident changes are made. Abbreviated forms are filled out, *perfruantur* of 26 is changed to *proferantur*, the *perfruantur* being introduced from 22, an introduction made easy by the confusion of *pro* and *per*, and by the metathesis of *fer* to *fru*,<sup>24</sup> the corruption SENUAS is resolved into *sem(e)l has*, that is, *sem'l (h)as*. Even without the emendation of SENUAS to *sem(e)l (h)as*, the meaning of the whole constitution is quite clear and there is no ambiguity, since these are not fundamentally significant words. In 36 SENUAS was

<sup>24</sup> It would seem impossible to retain *perfruantur* in 26 used passively, or else actively with the accusative, both of which usages sometimes occur. For just before it in 22 and just after it in 27, *perfrui* is used actively, as a deponent verb, in its regular construction with the ablative. It would seem most remarkable of any author to use this word twice in its ordinary sense and construction, in 22 and 27, and use it very differently in 26.

apparently derived from an earlier manuscript written in square capitals. Thus SEML might easily become SENU, the final stroke of *M* becoming a part of the letter following and fusing with the *L* to become *U*. The *H* having been lost from HAS, these two words became fused into SENUAS.

#### TRANSLATION

The same Augustus.<sup>25</sup> When he had entered the Imperial Headquarters of the Army and had been saluted by the Military Prefects, and Tribunes and by the Most Eminent Men,<sup>26</sup> the acclamation arose: "Augustus Constantine! The Gods preserve you for us! Your salvation is our salvation. In truth we speak, on our oath we speak." The assembled Veterans cried out: "Constantine Augustus! To what purpose have we been made Veterans if we have no Imperial Grant of Special Privileges?" Constantine Augustus replied: "It is my duty the more and more to increase the happiness of my Fellow Veterans rather than to diminish it." Victorinus the Veteran<sup>27</sup> then said: "We pray that you do not allow us to be compelled by law to perform Compulsory State Services (*Munera*) and to bear grievous burdens in all places." Constantine Augustus replied: "Indicate more plainly what the Compulsory State Services (*Munera*) especially are that most persistently oppress you." All the Veterans said: "You fully understand all this Yourself, of course." Constantine Augustus then proclaimed: "Be it known that it has just now been conceded to all Veterans by My Imperial Grant of Special Legal Privileges (*Munificentia*)<sup>28</sup> that no one of them shall be compelled by law to the performance

<sup>25</sup> That is, Constantine, first announced in 3. The reference is to the Inscription of the preceding Constitution.

<sup>26</sup> *Eminentissimus* is a technical word, indicating the members of the highest official rank, such as Praetorian Prefects and Masters of the Soldiers. Cf. *C. Th.*, 1, 16, 3, 2; 6, 8, 1, 4; 8, 7, 16, 2; 11, 22, 4, 5<sup>2</sup>; 12, 1, 74, 23<sup>2</sup>.

<sup>27</sup> As spokesman, either chosen by the Veterans or self-appointed. Nothing is known of him from any other source. His name Victorinus is so appropriate for the occasion that it seems unlikely to have been a coincidence. Is this part of the dramatic technique of the writer of the constitution?

<sup>28</sup> This may possibly be translated by My Munificence. The general meaning would be the same.

of a Compulsory State Service (*Munus*) nor for service on Public Works, nor for any tax payment, nor by the (Municipal) Magistrates, nor for any special taxes <sup>29</sup> (*vectigalia*). In whatsoever public markets they may engage in business they shall not be compelled to pay the sales taxes. The Tax Farmers (*Publicani*) also who are accustomed to extort exorbitant tax payments from tradesmen shall be removed from the aforesaid Veterans. After their labors the Veterans shall forever enjoy perpetual peace. By this same <sup>30</sup> Edict (*Epistula*) we have also prohibited Our Fisc from disturbing anyone at all of these Veterans but they shall be allowed to buy and sell, so that their Special Legal Privileges (*Beneficia*) may be cited in court <sup>31</sup> with full force under the protection of the repose and peace of Our Generation, and their old age shall enjoy to the full their leisure after their labors. The decisive battles which their fathers fought in the service of the Emperor shall also protect <sup>32</sup> ((exempt)) the sons of Veterans whom with especial anxiety We desire to prosper (as soldiers),<sup>33</sup> and We also desire that, if it should be possible to prove that the sons are contumacious (with respect to military service) according to the statements of the aforesaid Veterans, the sons shall not be severely punished

<sup>29</sup> These seem to refer to Municipal Magistrates and Municipal dues. Cf. Gothofredus *ad loc.*

<sup>30</sup> The use of the word *eadem* with *Epistula* would identify the contents of this Edict with the letter to the Fisc.

<sup>31</sup> The technical meaning of *Beneficium proferre* seems most logical here. For this usage compare *C. Th.*, 1, 1, 5, 19 *quam (constitutionem) iam proferri liceat*; 1, 4, 2, 4 *libros (Pauli) in iudiciis prolatos valere minime dubitatur*; 1, 4, 3, 7 *ubi diversae sententiae (iuris prudentium) proferuntur*; 2, 4, 4, 4 *si qui Perennitatis Nostrae responsa protulerunt*; 10, 10, 20, 6 *si specialis super hoc Adnotatio proferatur*; 11, 12, 3, 4 *nonnulli proferunt Sanctiones*; 12, 1, 10, 2 *quisquis huiusmodi Beneficium proferat*; 16, 5, 16, 2 *nonnullos formam Nostrarum proferre Iussionum conperimus*; 16, 5, 16, 4 *quidquid fuerit ab his prolatum*. If *proferre* is thought of as non-technical here the phrase may be translated: "their Special Legal Privileges shall be extended undiminished." In any case *proferantur* seems preferable to *perfruantur*.

<sup>32</sup> That is, the sons of the Veterans shall have the same Special Privileges as those granted to their fathers.

<sup>33</sup> *Florescere*, *florens*, and *florentissimus* are regularly used in connection with the soldiers, and especially when referring to the legions. Cf. *C. Th.*, 7, 20, 12, 4 and see the *T. L. L.*, *s. vv.*

in accordance with the following provisions (*Sententiae*)<sup>34</sup> of this Edict, since with all due justice, and in accordance with My Command,<sup>35</sup> they shall be assigned for service in the Office Staffs of the Governors. Therefore the soldiers of the Rural Police (*Stationarii*) of the Cohort of each district and the parents of these boys shall have as their responsibility the desperate conduct of these young men, and they shall provide measures to send them up to the Sanctity of My Presence, so that they may be safe (from further punishment) when they have incurred once for all the aforesaid penalties prescribed by this Edict<sup>36</sup> of Special Legal Privileges.

Given on the Kalends of March in the City of the Velovoci in the year of the sixth Consulship of Constantine Augustus and the Consulship of Constantius Caesar."

March 1, 326?

#### COMMENTARY

This constitution is peculiar in many respects. It is not officially addressed to any person or persons. Its form is most unusual, dramatic and vivid, thoroughly characteristic of the Emperor Constantine with his unconventional type of mind. Without any warning the readers of this Constitution are plunged *in medias res*, and a striking picture is portrayed, as the Emperor enters the Imperial Headquarters of the Army, to be greeted with the acclamations of all the officers and high officials. Without any explanation, and apparently from nowhere, the assembled Veterans appear. Their appearance at the Imperial Headquarters of the Army is unexplained. Possibly they may have been summoned to hear this proclamation, as a sort of rescript to their complaints as voiced by their spokesman Victorinus, but of this no hint is made. Neither is there any

<sup>34</sup> For this use of *sententiae* as equivalent to Edict compare such passages as *C. Th.*, 2, 27, 1, 2; 3, 5, 2, 1; 3, 12, 3, 2; 4, 4, 3, 13; 6, 2, 12, 1; 6, 35, 6, 3; 8, 1, 11, 2; 9, 21, 8, 2; 9, 43, 1, 3, and many others.

<sup>35</sup> For this use of *Iussio* as equivalent to Edict, compare such passages as 1, 29, 4, 3; 2, 10, 1, 1; 5, 14, 36, 1; 5, 16, 30, 3; 6, 26, 14, 20; 6, 35, 10, 6; 7, 4, 13, 4; 7, 7, 2, 5; 7, 8, 9, 5; 8, 1, 5, 4; 8, 1, 7, 1; 8, 5, 6, 3; 8, 5, 7, 2; 8, 12, 4, 8; 8, 18, 4, 11, and many others.

<sup>36</sup> For *poenas Indulgientiae* meaning the punishment prescribed by this Edict, compare *C. Th.*, 2, 26, 1, 17 *poena Edicti*; 3, 5, 11, 12 *poenam iuris*; 7, 12, 3, 5 *legis poena*.

indication that they had come to the Imperial Headquarters, a place reserved for soldiers in active service, in order to voice their complaints. Difficulties arise from the fact that this Edict seems to have been previously prepared<sup>37</sup> and yet it seems to be issued in reply to the complaints of the Veterans here assembled. As here represented the Emperor engages in a dialogue with Victorinus and the Veterans, and this device is employed to make of this Constitution an oral proclamation, an Edict in the good old sense, introduced by *dixit* in line 14. In line 3 it is evident that the soldiers are still polytheistic pagans. The compilers of Justinian's Code changed the expression to make it monotheistic, according to the religion of their day, and they read "God preserve you" instead of "The Gods preserve you" of this constitution. The picture of Constantine the astute politician is a good one, as he addresses his old soldiers as "Fellow Veterans" and as he proceeds to indicate the many special favors he hereby bestows upon them, chiefly exemptions from burdensome Compulsory State Services and various special taxes, especially taxes on tradesmen. In another constitution promulgated this same year,<sup>38</sup> Constantine encourages his Veterans to engage in either farming or trade, promising them special privileges in either case. The Magistrates of line 18 are apparently Municipal officials.<sup>39</sup> From lines 27-28 it becomes clear that the sons of Veterans were granted the same special privileges, but from the following lines it becomes apparent that the sons of the Veterans were also required to follow their father's profession and serve in the army. Refusal of the sons to perform this service was considered *Contumacia* and *Desperatio*, and it was punishable by assigning them as *Cohortales* to compulsory service on the Office Staffs of the Governors. This service was burdensome, of the lowest grade, poorly paid, and could be looked upon as a punishment.<sup>40</sup> This type of punish-

<sup>37</sup> Cf. 15 *id esse concessum*; 23 *eadem Epistula interdiximus*. The general tenor of this speech seems to give the effect of an announcement of measures already taken, but this point of view is not consistently kept in mind.

<sup>38</sup> *C. Th.*, 7, 20, 3.

<sup>39</sup> Cf. Gothofredus, Commentary *ad loc.*

<sup>40</sup> Cf. *C. Th.*, 8, 4 *passim*, especially Constitutions 4, 18, 21, 22, 23, 25, 28, 29, and 30.

ment for this offense was repealed by Constantius in 349,<sup>41</sup> apparently because it did not seem severe enough to accomplish its purpose. The words of Constantius are: "*Observetur ne veteranorum seu militum filii officiis Praesidalibus adgregentur.*" These words seem to contain a direct reference to 31-32 of this constitution. Victorinus, the spokesman of the Veterans, is otherwise unknown. The *Principia* or Imperial Headquarters of the Army were the special section of the camp where military court was held, complaints of the soldiers heard, and judgments rendered.<sup>42</sup> They were sometimes called *Sancta Principia* from their close connection with the emperor. They had their own Archives for the preservation of certain kinds of Imperial legislation.<sup>43</sup> The *Principia* might thus be employed as a fitting place for a proclamation bestowing special favors on Veterans.

The rhetorical features of this Constitution are marked and in the spirit of the artificial stylistic peculiarities of the age. The most noticeable of these devices are:

1. Anaphora: 4 *salus, salus; dicimus, dicimus; 7 Magis magis.*
2. Alliteration: 11 *maxime munera; 12 Universi Veterani; 19 dare debebunt; 22 perenniter perfruantur; 25 sub saeculi; 26 pace proferantur; 27-28 Filios . . . defendant decertationes; 28 patris persona; 35-36 sint salvi.*
3. Homoeoteleuton: *Muneribus et oneribus.*
4. The dialogue form, 5 ff.
5. The plunge *in medias res*, 1 ff.

CLYDE PHARR.

VANDERBILT UNIVERSITY.

<sup>41</sup> *C. Th.*, 7, 22, 6. At least this is my interpretation of this document.

<sup>42</sup> *D.*, 49, 16; *C. J.*, 12, 36.

<sup>43</sup> *Theod. Novell.*, I, 6; *C. J.*, *De Justinianeo Codice Confirmando*, § 4.

## THE EDUCATION OF HEIRS IN THE JULIO-CLAUDIAN FAMILY.

Education is here interpreted to include home training and disciplinary measures as well as formal studies, but experience in civil and religious offices is excluded, as is military training. The period considered is from birth until accession for the men who ruled and until death in the other cases. Octavius is necessarily an exception to these limits, for his training was brought to a close by the death of Julius Caesar. The education of Octavius is the starting point in determining what education was accorded the heirs in the line which he founded, but it is important to remember that he was not reared in a palace and that the Roman Empire did not exist during his youth. In addition to Octavius, eight Julio-Claudian heirs for whom particularly pertinent information is available have been selected for individual study.

**OCTAVIUS:** The child who was to become the Emperor Augustus was four years old when his father died.<sup>1</sup> This elder Octavius, equestrian by birth, was the first of his line to reach the senate, and at the time of his death he was returning to Rome to sue for the consulship after serving as governor of Macedonia.<sup>2</sup> Atia, his wife, was the daughter of Julia, sister of Julius Caesar.

In a well-known passage Tacitus says that Atia gave her son the home education with close personal supervision which was characteristic of the days of the Roman Republic.<sup>3</sup> Nicolaus of Damascus states that during these early years Octavius' mother and stepfather, Lucius Philippus, inquired each day of his instructors concerning his activities, progress, and associates. Nicolaus further declares that the boy applied his store of knowledge to any given facts more speedily than his teachers themselves.<sup>4</sup> His childhood was spent in Rome, with long sojourns

<sup>1</sup> Suetonius, *Aug.*, 8, 1; cf. Velleius Paterculus, II, 59, 2.

<sup>2</sup> Suetonius, *Aug.*, 4; Nicolaus Damascenus, *Vita Caesaris*, 2; Velleius, II, 59, 2; Cicero, *Phil.*, III, 6, 15.

<sup>3</sup> Tacitus, *Dialogus de Oratoribus*, 28.

<sup>4</sup> Nicolaus, 3.

at his paternal grandfather's country place near Velitrae.<sup>5</sup> The name of his *paedagogus*, Sphaerus, is recorded. Octavius felt a lasting affection for this faithful old slave, whom he later set free and whom he honored with a public funeral.<sup>6</sup>

It is likely that Julia herself had a hand in rearing her grandson. Nicolaus, who gives the fullest account of these early years, speaks of the funeral oration which the boy delivered upon Julia's death and then adds that after his grandmother's death he was brought up by his mother and stepfather.<sup>7</sup> There is no other evidence that Julia actually cared for the boy, but two other authors mention the funeral oration.<sup>8</sup> On this occasion, probably the first time that Octavius came to the attention of the public, his oratorical performance won favorable comment.

That the future emperor received a thorough education according to Ciceronian standards was due in part to his great-uncle, Julius Caesar, although it is impossible to determine how great a part Caesar played in choosing his tutors and supervising his studies. Dio says that Caesar based great hopes on the boy and educated him in all the arts requisite for a ruler; that he was therefore instructed in Greek and Latin oratory and in politics and government, as well as in military strategy.<sup>9</sup>

Although Octavius assumed the *toga virilis* at the age of fifteen,<sup>10</sup> ill health prevented his taking as active a part in Caesar's military campaigns as he would have liked to do. His

<sup>5</sup> Suetonius, *Aug.*, 6, 8, 94; Nicolaus, 3; Velleius, II, 59, 3; Cassius Dio, XLV, 1. Of incidental interest in connection with Octavius' early education is the *Tabula Iliaca*, found near the city of Rome in almost complete form and now preserved in the Capitoline Museum; for a description and the wording, see: *Inscriptiones Graecae Siciliae et Italiae (Inscriptiones Graecae*, XIV, edited by Georg Kaibel [Berlin, 1890]), 1284. A. S. Wilkins (*Roman Education* [Cambridge, 1914], p. 45) believes that this particular tablet was used in educating Octavius and was preserved as a memorial. Cf. J. Marquardt, *Das Privatleben der Römer* (2nd ed., Leipzig, 1886), p. 109.

<sup>6</sup> Dio, XLVIII, 33, 1.

<sup>7</sup> Nicolaus, 3.

<sup>8</sup> Suetonius (*Aug.*, 8) says that Octavius was then in his twelfth year; Quintilian (XII, 6, 1) that he was twelve; Nicolaus gives his age as about nine.

<sup>9</sup> Dio, XLV, 2, 7-8.

<sup>10</sup> Suetonius, *Aug.*, 8; *C. I. L.*, X, 8375; cf. Nicolaus, 4.

studies were thus continued with little interruption until the fateful March of 44 B.C. His home training under Atia's watchful direction and wise discipline also continued without change after he came to manhood.<sup>11</sup> When Caesar was in Rome in 46 B.C., however, Octavius was frequently seen with his great-uncle at theaters, banquets, and other public functions.<sup>12</sup> These occasions were of value in that he grew accustomed to social life and also became acquainted with the leading Romans of the day. Even at this time he was subject to rigid rules and regular hours: he was not to associate with young men of bad character, not to stay at banquets after nightfall, and not to dine before the tenth hour except at the homes of Caesar, Philippus, and Marcellus, his brother-in-law.<sup>13</sup>

A few of his teachers are known to us by name and reputation. Among them were two teachers of rhetoric, Marcus Epidius<sup>14</sup> and Apollodorus of Pergamum,<sup>15</sup> the former a Latin *rhetor*, the latter a Greek. Epidius evidently taught in Rome, for Mark Antony was also among his pupils.<sup>16</sup> A brief biography of Vergil given in the Berne manuscript states that Vergil and Octavius were fellow pupils,<sup>17</sup> and, since Vergil came to Rome and began the study of rhetoric rather late in years, it is entirely possible that the *Vita* is correct, despite the difference in the ages of the two.<sup>18</sup> It has been conjectured that Epidius was a rhetorician of the florid Asiatic style, since that is the style which Antony displayed in his oratory.<sup>19</sup> If that was the case, Epidius' influence over Octavius was slight or short-lived, for the Emperor Augustus developed an Attic style in oratory and vigorously criticized what he considered the wordy and senseless fluency of Antony's style.<sup>20</sup> The only fact recorded of this

<sup>11</sup> Nicolaus, 4-6.

<sup>12</sup> Nicolaus, 8. Monroe E. Deutsch ("Caesar's Son and Heir," *Univ. of California Publ. in Classical Philology*, IX [1926-1929], pp. 194-195) thinks that Nicolaus exaggerates the frequency of such incidents, but grants that Octavius may have accompanied Caesar occasionally.

<sup>13</sup> Nicolaus, 13.

<sup>15</sup> Suetonius, *Aug.*, 89.

<sup>14</sup> Suetonius, *De Rhetoribus*, 4.

<sup>16</sup> Suetonius, *Rhet.*, 4.

<sup>17</sup> Ernst Diehl, *Die Vitae Virgilianae und ihre antiken Quellen* (Bonn, 1911), pp. 44-45.

<sup>18</sup> Cf. Tenney Frank, *Vergil, a Biography* (New York, 1922), p. 18.

<sup>19</sup> *Ibid.* For a comment on Antony's style: Plutarch, *Antonius*, 2.

<sup>20</sup> Suetonius, *Aug.*, 86.

teacher's character is unfavorable, namely, that he was notorious for malicious accusation (*calumnia*).<sup>21</sup>

At the age of eighteen Octavius was pursuing his studies and being trained in military tactics in Apollonia, on the Illyrian coast,<sup>22</sup> but he had been there only a few months when the news of Caesar's assassination brought his boyhood abruptly to an end.<sup>23</sup> As Caesar himself had arranged Octavius' stay in Apollonia, it is reasonable to suppose that Apollodorus, the teacher of Greek rhetoric whom the young man took with him from Rome,<sup>24</sup> was chosen either by Caesar or with his approval. Apollodorus, no longer a young man, was already famous as the founder of the Apollodorian school of rhetoric, which was in time opposed to that founded by Theodorus of Gadara.<sup>25</sup>

The difference between the Apollodorians and the Theodorians becomes of especial interest when we consider that in due time Tiberius studied with Theodorus on Rhodes. Unfortunately, although Quintilian brings out many fine points of rhetorical theory, procedure, and terminology upon which the two schools differed,<sup>26</sup> the great and essential distinction, if such there was, remains uncertain. Yet it seems clear that Apollodorus was a leader in the school of Atticist purism, the school to which Caesar, as well as Sallust and Asinius Pollio, belonged, and in which Augustus followed his illustrious great-uncle. Theodorus, on the other hand, was one of the foremost in the "modern" group, which made innovations in style, arrangement, and wording, as well as in selection of detail, all in the hope of relieving pristine austerity and pleasing a more sophisticated taste.<sup>27</sup>

<sup>21</sup> Suetonius, *Rhet.*, 4.

<sup>22</sup> Suetonius, *Aug.*, 8, 2; Nicolaus, 16; Livy, *Periochae*, 117; Velleius, II, 59, 4; Dio, XLV, 3; Appian, *Bella Civilia*, III, 9.

<sup>23</sup> Nicolaus, 16; Appian, *B. C.*, III, 9.

<sup>24</sup> Suetonius, *Aug.*, 89, 1. Nicolaus (17) speaks of an Alexander of Pergamum among Octavius' retinue at Apollonia, and Shuckburgh assumes that this man was still another teacher (E. S. Shuckburgh, *Augustus; the Life and Times of the Founder of the Roman Empire* [London, 1903], p. 15, n. 1). It is entirely possible that there was a man of this name among Octavius' friends, although he is otherwise unknown, but there is no reason to conclude that he was a tutor.

<sup>25</sup> Quintilian, III, 1, 17-18; Strabo, XIII, 4, 3.

<sup>26</sup> Quintilian, II, 15, 12, 16, and 21; III, 1, 17-18; III, 6, 35-36; 11, 3; IV, 1, 23 and 50; 2, 31-32; V, 13, 59.

<sup>27</sup> For varying views cf. C. W. Piderit, *De Apollodoro Pergameno et*

Athenodorus of Tarsus, surnamed Cananites, was another of Octavius' teachers. Upon this Stoic philosopher he conferred high honors after he became emperor.<sup>28</sup> Athenodorus stayed with Augustus and exerted a good and moderating influence over him for many years.<sup>29</sup> Four other philosophers who won Augustus' friendship and so probably played a part in the life of the imperial household were Areius, his sons Dionysius and Nicanor,<sup>30</sup> and his friend Xenarchus.<sup>31</sup> Areius was an Alexandrian, and it is said that Augustus the conqueror drove into Alexandria holding Areius' hand and that he pardoned this city partly as a favor to him.<sup>32</sup> Xenarchus, a Peripatetic, was a native of Cilicia whose lectures Strabo had attended. His success took him far; he lectured at Alexandria, Athens, and finally Rome, where he came to Augustus' notice and where he lived to a ripe old age.<sup>33</sup>

Unlike many men in public life, the Emperor Augustus never lost his interest in formal studies nor allowed affairs of state to crowd them out of his mind. His adult studies and writings have a double significance for us: they were eloquent proof of his sound early training, and they formed a cultural background of the highest value for the several young princes who were reared in the palace.

**TIBERIUS:** The early childhood of Tiberius, later emperor, was turbulent and ill-omened. As a result of the civil upheavals following Julius Caesar's death, Tiberius Claudius Nero and his wife Livia, who was still in her teens, were forced to flee from place to place, carrying the young Tiberius with them and hushing his crying lest he betray their hiding places. The separation of his parents upon Augustus' precipitate marriage

*Theodoro Gadarensi Rhetoribus* (Marburg, 1842); Erwin Rohde, "Die asianische Rhetorik und die zweite Sophistik," *Rh. Mus.*, XLI (1886), pp. 170-90; Martin Schanz, "Die Apollodoreer und die Theodoreer," *Hermes*, XXV (1890), pp. 36-54; U. v. Wilamowitz-Möllendorff, "Asianismus und Atticismus," *Hermes*, XXXV (1900), pp. 1-52.

<sup>28</sup> Strabo, XIV, 5, 14.

<sup>29</sup> Zosimus, I, 6; cf. Plutarch, *Moralia*, 207, 7; Dio, LVI, 43, 2.

<sup>30</sup> Suetonius, *Aug.*, 89, 1.

<sup>31</sup> Strabo, XIV, 5, 4.

<sup>32</sup> Plutarch, *Moralia*, 814, 18; *Ant.*, 80; cf. Dio, LI, 16, 4; Julian, *Epistolae*, 51, 434 A; *Epistola ad Themistium*, 265 C.

<sup>33</sup> Strabo, XIV, 5, 4.

with Livia took place when the boy was four. Upon the death of his father he was required to deliver a funeral oration, although he was only nine at the time.<sup>34</sup>

Since Tiberius did not become emperor until his fifty-sixth year, his preparation for the principate was more prolonged than that of any other prince under consideration. Ancient authorities agree that he had an excellent education and was an ardent and faithful student.<sup>35</sup> What we know of his rhetorical studies and of his intellectual tastes and interests as an adult enables us to form some idea of his education as a whole.

In the field of Latin oratory Tiberius early became a follower of Marcus Valerius Messalla Corvinus, whom he likewise took as a model of Latinity in his old age.<sup>36</sup> While not guilty of the wilder exaggeration and affectation of a still later day, Messalla belonged to the transition period. His was a more scholastic and less virile style than that of Julius Caesar, for instance.<sup>37</sup> Caesar's style was patterned in a general way according to the principles of Apollodorus, while Messalla shared the tendencies of the Theodorians. Thus with entire consistency Augustus followed Caesar in Latin rhetoric and Apollodorus in Greek, while Tiberius chose Messalla and Theodorus as his models.

Theodorus of Gadara spent some time on the island of Rhodes—indeed, he preferred to be called Theodorus of Rhodes—and there the adult Tiberius became a constant attendant at his lectures on Greek oratory.<sup>38</sup> Suetonius' words indicate that Theodorus also taught Tiberius while he was still a youth. The story is that this teacher soon obtained an insight into the prince's character and in taking him to task would call him "mud kneaded with blood."<sup>39</sup>

The numerous law cases which Tiberius pleaded gave him ample opportunity, long before he became emperor, to employ his oratorical skill and knowledge.<sup>40</sup> There were still other occasions which demanded a different type of oratory, such as the

<sup>34</sup> Suetonius, *Tiberius*, 6.

<sup>35</sup> Velleius, II, 94, 2; Suetonius, *Tib.*, 70, 1; Dio, LVII, 1.

<sup>36</sup> Suetonius, *Tib.*, 70, 1.

<sup>37</sup> W. Teuffel, *Geschichte der römischen Literatur* (6th ed., Leipzig, 1910), II, pp. 19-21.

<sup>38</sup> Quintilian, III, 1, 17.

<sup>39</sup> Suetonius, *Tib.*, 57, 1.

<sup>40</sup> Suetonius, *Tib.*, 8.

funeral oration for his brother Drusus<sup>41</sup> and the eulogy at the funeral of Augustus.<sup>42</sup> His style was characterized as obscure by reason of affectation and pedantry.<sup>43</sup> Thus it was thought that he spoke better extemporaneously than from a prepared address. Tacitus concedes him great power of expression and says that he was frequently ambiguous by design.<sup>44</sup> Augustus, who constantly aimed for clarity and chaste elegance in his own speech, criticized his stepson's use of obsolete and pedantic expressions.<sup>45</sup>

In the prime of life Tiberius spent over seven years in retirement on the island of Rhodes, where he lived virtually the life of a private citizen.<sup>46</sup> Here for the first time his real inclinations could be followed, and we find him a constant attendant at the schools of philosophy<sup>47</sup> as well as at the lectures of Theodorus. Tiberius was of a thoughtful nature, and it is easy to think that his bent would be toward philosophy more than rhetoric. We do not have the names of the philosophers whom he found at Rhodes, but we do know that he took an active, not a passive, part in the discussions.<sup>48</sup>

The mature Tiberius was devoted to studies in both Greek and Latin.<sup>49</sup> Unlike Augustus, he could speak Greek fluently, although he was opposed to its use in the Roman senate.<sup>50</sup> His literary taste was in keeping with his taste and inclination in oratory. He was an admirer of the Alexandrian poets Euphorio, Rhianus, and Parthenius, and it was these poets that he imitated in his own Greek verses.<sup>51</sup>

**GAIUS and LUCIUS:** The aging Augustus took a new lease on life with the arrival of his grandsons, Gaius and Lucius, only

<sup>41</sup> Dio, LV, 2.

<sup>42</sup> Suetonius, *Aug.*, 100, 3.

<sup>45</sup> Suetonius, *Aug.*, 86, 2.

<sup>43</sup> Suetonius, *Tib.*, 70, 1.

<sup>46</sup> Suetonius, *Tib.*, 11, 1; cf. 32, 2.

<sup>44</sup> Tacitus, *Ann.*, XIII, 3.

<sup>47</sup> Suetonius, *Tib.*, 11, 3.

<sup>48</sup> *Ibid.* Lucian (*Longaevi*, 21) mentions one Nestor of Tarsus, a Stoic philosopher who taught Tiberius at some time; this may be the same Nestor whom Strabo (XIV, 5, 14) carefully distinguishes from the Academic philosopher of the same name, teacher of Marcellus.

<sup>49</sup> Suetonius, *Tib.*, 70; cf. 56.

<sup>50</sup> Suetonius, *Tib.*, 71.

<sup>51</sup> Suetonius, *Tib.*, 70, 2. Horace's epistle to Julius Florus (*Epist.*, I, 3) reveals Tiberius, aged twenty-two, in the center of a group of literary young men, writing copiously while engaged on a diplomatic mission far from home.

three years apart. Their training was a matter of the gravest concern to him, and he did not begrudge them his time and energy. While the two were still young, the Emperor adopted them by the old symbolic purchase from their father, Marcus Agrippa, and from that time until they were old enough to hold administrative posts he kept them constantly near him. We are told that for the most part he himself taught them reading, swimming, and "the other rudiments," and that he even went to some pains to have them imitate his handwriting.<sup>52</sup>

The austere simplicity which Augustus always insisted upon in his household was probably the keynote of the training he gave these lads. He may have had in mind the wholesome effect of companionship and competition when he made a certain arrangement for their tutor. This man was Marcus Verrius Flaccus, a freedman and a *grammaticus*, who had attracted considerable notice by reason of his way of teaching. He was given credit for being the first in Rome to introduce rewards or prizes to stimulate interest among his students in composition work. As prizes he presented rare or beautiful books. At Augustus' instigation Flaccus moved his entire school into the hall of the house of Catulus, which at that time formed part of the palace. The understanding was that he keep his old pupils but admit no additional ones. For his services to the royal family he was paid a hundred thousand sesterces a year.<sup>53</sup>

Plutarch is responsible for an anecdote which seems to indicate intellectual curiosity on the part of either Gaius or Lucius. One day Augustus came upon one of the youths reading some book by Cicero. In terror the boy tried to hide it in his gown, but his grandfather, who had already seen the book, took it and read a few minutes himself before handing it back. His comment was, "A learned man, my child, a learned man and a great patriot."<sup>54</sup> This story may have been an invention calculated to show Augustus' magnanimity, of course. At any rate, it is impossible to decide from so isolated an incident whether

<sup>52</sup> Suetonius, *Aug.*, 64.

<sup>53</sup> Suetonius, *De Grammaticis*, 17. With regard to the salary and social position of Flaccus and other Roman teachers, see: Rodney P. Robinson, "The Roman School Teacher and His Reward," *C. W.*, XV (1921-1922), pp. 57-61.

<sup>54</sup> Plutarch, *Cicero*, 49, 3.

or not the Julio-Claudian princes could read any of Cicero's works openly.<sup>55</sup>

Despite Augustus' anxiety to accustom his charges to the simple, unassuming life, they soon showed an inclination toward luxurious living, insolence, and arrogance. The Roman populace was disposed to flatter and favor them on every possible occasion, largely to please the Emperor, of course. It seems that Augustus realized the danger of such adulation for boys in their teens and yet was so devoted to them that he found it difficult to take a firm stand on the matter.<sup>56</sup>

Because of their early deaths we have no way of judging what reaction Gaius and Lucius would have had to the instruction which their grandfather provided for them. Their training was incomplete when they were sent to the distant lands where disaster awaited them, and there is mention of a tutor (*paedagogus*) among the cortège that accompanied Gaius to Syria.<sup>57</sup> Marcus Lollius was the prince's chief adviser on this mission, and he was probably commissioned to supervise Gaius' conduct as well as to aid him with military and administrative matters.<sup>58</sup>

Gaius and Lucius were their grandfather's darlings and received far more of his attention than did the other imperial children whose education was in progress at the same time and during the next few years. These included their younger brother, Agrippa Postumus, and three young Claudians: Germanicus, son of Augustus' stepson Drusus; Drusus, son of Tiberius; and Claudius, younger brother of Germanicus. Only a few years separated these lads; the youngest, Claudius, was ten years younger than Gaius Caesar. It seems safe to assume that all six were given much the same formal instruction, with Augustus the final authority in matters of policy and method. Verrius Flaccus probably taught the others along with Gaius and Lucius, for the logical arrangement would be to have a small group instructed together at all times.<sup>59</sup> The group soon assumed a

<sup>55</sup> Cf. Charles Merivale, *History of the Romans under the Empire* (London, 1896), IV, p. 272; A. Oltramare, "La Réaction ciceronienne et les débuts de principat," *Rev. Ét. Lat.*, X (1932), p. 61.

<sup>56</sup> Suetonius, *Aug.*, 56, 2; Dio, LIV, 27, 1; LV, 9.

<sup>57</sup> Suetonius, *Aug.*, 67, 2.

<sup>58</sup> Suetonius, *Tib.*, 12, 2; Tacitus, *Ann.*, III, 48, 2; Velleius, II, 102, 1.

<sup>59</sup> Cf. Albert Earl Pappano, "Agrippa Postumus," *Class. Phil.*, XXXVI (1941), p. 31.

cosmopolitan aspect, in fact, for Augustus brought to Rome the children of several foreign kings with whom he had close alliances, and there they were brought up and educated along with his own family.<sup>60</sup>

If the princes had literary inclinations, as did Germanicus and Claudius, they had abundant opportunities to meet the great Augustan writers. Both Augustus and Maecenas were generous in their patronage of literary talent, and the royal household must have been treated to frequent *recitationes* by Vergil, Livy, Horace, and many others.<sup>61</sup>

**GERMANICUS:** Germanicus lived to maturity and attained great popularity with the masses as well as with his relatives.<sup>62</sup> Augustus hesitated for some time whether to make him his successor but finally had him adopted by Tiberius at the same time that he himself adopted the latter.<sup>63</sup> Germanicus' father, Drusus, a man of excellent character, died when the boy was six.<sup>64</sup> His mother, Antonia, was a daughter of Octavia, the sister of Augustus. Octavia was an exemplary woman,<sup>65</sup> and Antonia seems to have followed in her footsteps. We know that the Emperor Tiberius, who was her brother-in-law, held her in high regard and respect.<sup>66</sup>

There is no extant information on Germanicus' formal education, but some judgment may be formed from his literary and oratorical ability as an adult.<sup>67</sup> Suetonius declares it a matter of common consent that Germanicus possessed all the virtues of body and mind to a degree never equalled, and he adds that he attained a remarkable command of oratory and general learning,

<sup>60</sup> Suetonius, *Aug.*, 48.

<sup>61</sup> Cf. Suetonius, *Aug.*, 89, 3.

<sup>62</sup> Suetonius, *Caligula*, 4; Dio, LVI, 24, 7; LVII, 6.

<sup>63</sup> Suetonius, *Tib.*, 15, 2; *Calig.*, 4.

<sup>64</sup> Suetonius, *Claudius*, 1, 3; Dio, LV, 2.

<sup>65</sup> Mary White Singer, *Octavia Minor, Sister of Augustus: An Historical and Biographical Study* (Unpublished Dissertation, Duke University, 1944).

<sup>66</sup> Josephus, *Antiquitates Judaicae*, XVIII, 6, 6.

<sup>67</sup> Quite by accident we have the name of one of his preceptors, Cassius Silanus. Pliny (*H. N.*, XXXIV, 47) says that upon this man Germanicus bestowed a very costly gift, two cups chased by the hand of Calamis.

both Greek and Latin.<sup>68</sup> It is certain that he had abundant opportunity to display his oratorical ability when acting as advocate in lawsuits.<sup>69</sup> He also produced several literary works, including Greek comedies.<sup>70</sup> His version of the *Phaenomena* of Aratus, an astronomical didactic poem, is still extant in part, as are fragments of other works by him.<sup>71</sup>

CLAUDIUS: With Claudio, younger brother of Germanicus, we come to a Julio-Claudian whom the family did not consider good princely material. Neither Augustus nor Tiberius elevated him to such positions or made such designation in his will as to indicate him a possible heir to the rule. His deficiency was partly, perhaps largely, due to bodily infirmity, a matter which weighed heavily with the proud Roman aristocracy. Throughout his childhood and youth he suffered from various obstinate disorders which dulled the vigor of both his mind and body.<sup>72</sup> More specifically, it is stated that his hands and head shook slightly and that he stammered at times.<sup>73</sup>

Claudius was still an infant when his father died.<sup>74</sup> He was reared partly by his mother, Antonia, and partly in the household of Livia, that is, in the imperial palace itself.<sup>75</sup> Although Antonia has otherwise the reputation of a wise and gentle woman, the most scornful remarks are attributed to her on the subject of Claudio. She was known to call him a monster of a man (*portentum . . . hominis*), and when anyone seemed stupid she said that he was a greater fool than Claudio.<sup>76</sup> It is likely that the brilliance and polish of his older brother made Claudio seem even more awkward and boorish than he would otherwise have appeared. As for Livia, she avoided occasions for speaking

<sup>68</sup> Suetonius, *Calig.*, 3, 1.

<sup>69</sup> Suetonius, *Calig.*, 3, 2; Ovid, *Fasti*, I, 21-22; *Epist. ex Ponto*, II, 5, 47-56; Dio, LVI, 24, 26.

<sup>70</sup> Suetonius, *Calig.*, 3, 2.

<sup>71</sup> Other references to Germanicus' literary work: Pliny, *H. N.*, VIII, 42; Ovid, *Fasti*, I, 23-24; *Pont.*, IV, 8, 67.

<sup>72</sup> Suetonius, *Claud.*, 2, 1; Dio, LX, 2.

<sup>73</sup> Suetonius, *Claud.*, 30; Dio, LX, 2. For a conjecture regarding Claudio's probable ailment, see Vincent M. Scaramuzza, *The Emperor Claudio* (Cambridge, 1940), p. 35.

<sup>74</sup> Suetonius, *Claud.*, 2, 1.

<sup>75</sup> Dio, LX, 2, 5.

<sup>76</sup> Suetonius, *Claud.*, 3, 2.

to Claudius and instead would send word to him by messenger or write short, harsh notes when she deemed admonition necessary.<sup>77</sup>

There is no evidence that Augustus himself gave Claudius any personal attention until he was grown and certain problems arose concerning his advancement. In A. D. 12 Augustus finally faced the question of Claudius' status, and it puzzled him considerably for some time. The young man's bearing, gait, and lack of conversational ability made the aging Emperor worry lest the public find a chance for derision and so cause the family embarrassment. But Augustus was not entirely without hope; extracts from his letters show doubt and indecision regarding Claudius. Eventually his decision was against him.<sup>78</sup> In these same letters Augustus spoke of the essential nobility of Claudius' nature and also—a matter which surprised the Emperor—of his ability to declaim clearly and well. It may be added that after Claudius became emperor many persons were astonished to find him capable of some eloquence when his speech was pre-meditated.<sup>79</sup>

Contrary to custom, a *paedagogus* was retained for Claudius for a long time after he reached manhood. In one of his books he complained that this person was a barbarian and a former chief of muleteers, instructed to punish him severely for the slightest cause.<sup>80</sup> Evidently the man was employed by the proud imperial family in their anxiety to avoid any occasion for public ridicule.

After he came to the principate, Claudius claimed that he had feigned to be more stupid than he actually was.<sup>81</sup> Although we are told that his audience was skeptical, the facts make this plausible. To live in impunity through the latter part of Augustus' reign, all of Tiberius', and especially through that of Caligula was in itself no small feat for a son of Drusus and brother of Germanicus.

Since he was not entrusted with the civil positions and mili-

<sup>77</sup> *Ibid.*

<sup>78</sup> Suetonius, *Claud.*, 4. For similar hesitancy regarding Claudius on the part of Tiberius in his old age, see Tacitus, *Ann.*, VI, 46.

<sup>79</sup> Tacitus, *Ann.*, XIII, 3.

<sup>80</sup> Suetonius, *Claud.*, 2, 2.

<sup>81</sup> Suetonius, *Claud.*, 38, 3; Dio, LX, 2.

tary posts usually granted to one of his family, Claudius had so much the more time to devote to liberal studies. He was the most assiduous and thorough student of all the Julio-Claudians. One is reminded of Tiberius' life on Rhodes, but it was for only a few years that Tiberius was able to retire from an active career and devote himself entirely to study and reflection. Until his accession late in life Claudius not only had every opportunity to bury himself in liberal studies but even found it most expedient to do so.<sup>82</sup>

In two fields, history and Greek studies, he excelled. His absorption with history seems to have originated in the desire to write, rather than in a recognition of the value of the study for a statesman, but since he had little or no reason to expect to rule, this could hardly be otherwise. In his writing he had the advice and encouragement of no less an authority than Livy.<sup>83</sup> Those who would suspect Livy of sycophancy must remember that Claudius' position in his family did not demand adulation from the public. Sulpicius Flavus, who gave the prince direct assistance with his histories, may be the Sulpicius who, along with the philosopher Athenodorus, is mentioned as a close companion of Claudius in early manhood.<sup>84</sup>

One of Claudius' major literary works was his history of Rome, which he probably started as a youth, with Livy's encouragement. He began with the death of Julius Caesar but met with so much censure from his mother and grandmother that he finally stopped and took a fresh start at the end of the civil wars, thus completing two books on the earlier period and forty-one on the later.<sup>85</sup>

Claudius was a student of the Greek language and literature in a deeper sense than were Augustus and Tiberius. He fre-

<sup>82</sup> Suetonius, *Claud.*, 3, 1; Tacitus, *Ann.*, VI, 46; Dio, LX, 2; Josephus, *A. J.*, XIX, 2, 1; 3, 1.

<sup>83</sup> Suetonius, *Claud.*, 41, 1; cf. Dio, LXI, 2. Livy died when Claudius was twenty-seven.

<sup>84</sup> Suetonius, *Claud.*, 41, 1; cf. 4, 5.

<sup>85</sup> Suetonius, *Claud.*, 41, 2. Scaramuzza (*op. cit.*, p. 39) believes that Claudius' injudicious writing may have been the decisive factor which turned Augustus against him. Arnaldo Momigliano (*Claudius, the Emperor and His Achievement* [Oxford, 1934], pp. 1-19) is impressed by Claudius' familiarity with history and its effect upon his policies of government.

quently declared the superiority of Greek over Latin and used it himself in his speech and in many of his writings, and he displayed an equally high regard for Greek culture.<sup>86</sup> His introduction of three new letters into the Latin alphabet, an innovation with no lasting effects on the language, was one outgrowth of his philhellenism.<sup>87</sup>

**GAIUS**, son of Germanicus: The young Gaius was a bright, attractive lad, who won the affection of the legions in Germany, where he spent his early boyhood. It was then that he was dubbed "Caligula" because he wore the military type of boot.<sup>88</sup> Agrippina strove to advance her son in the favor of the soldiers,<sup>89</sup> and it is hardly a violent assumption to say that the child became conceited as a result of too much flattery and attention.

Gaius accompanied his parents on the ill-fated expedition to Syria, and he was seven when Germanicus died. After returning to Rome he probably continued to live with his mother until her disgrace, when he came under the care of his aged great-grandmother, Livia.<sup>90</sup> Upon Livia's death Gaius, aged sixteen, spoke her eulogy from the rostra.<sup>91</sup> For some three years thereafter he was in the care of his paternal grandmother, Antonia, for he had not yet come to manhood.<sup>92</sup> This event took place only in his nineteenth year, when Tiberius summoned him to Capreae.<sup>93</sup> Thus Gaius was in the care first of a doting mother, then of noble but elderly ladies during his formative years. This situation probably had its effect on his character, and it may also mean that he was freer to indulge his own taste in his studies than were any of the princes whose youth had fallen under Augustus' supervision.

It may be that the years that Gaius spent in the care of

<sup>86</sup> Suetonius, *Claud.*, 42.

<sup>87</sup> Suetonius, *Claud.*, 41, 3.

<sup>88</sup> Tacitus, *Ann.*, I, 41-44, 69; Suetonius, *Calig.*, 8-9; Dio, LVII, 5.

<sup>89</sup> Tacitus, *Ann.*, I, 69.

<sup>90</sup> Suetonius, *Calig.*, 10, 1. Martin P. Charlesworth ("The Banishment of the Elder Agrippina," *Class. Phil.*, XVII [1922], pp. 260-61) finds good reason to conclude that Agrippina was banished before the death of Livia, despite Tacitus, *Ann.*, V, 3.

<sup>91</sup> Suetonius, *Calig.*, 10, 1; Tacitus, *Ann.*, V, 1.

<sup>92</sup> Suetonius, *Calig.*, 10, 1. See J. P. V. D. Balsdon, *The Emperor Gaius (Caligula)* (Oxford, 1934), p. 201.

<sup>93</sup> Suetonius, *Calig.*, 10, 1.

Antonia had one profound effect which became manifest after he came to the principate. Mark Antony seems to have been his principal model in statesmanship, and Antony's daughter was probably the first to present this ancestor to him in a favorable light.<sup>94</sup>

Gaius' favorite study was oratory. Unless our poverty of information on some of the other princes is misleading, he was the first Julio-Claudian prince to be caught by the current craze for oratory to the neglect and disparagement of other studies. Both Tacitus and Suetonius credit him with eloquence, the latter stating that he gave little attention to literature, but a great deal to oratory.<sup>95</sup> Josephus says that Gaius had a liberal education and was well improved by it. But when he grows more specific, it is the prince's oratorical ability that he extols, and we are reminded that in the popular estimation oratorical skill and a liberal education were practically synonymous at this time. The Jewish historian says that he was an excellent orator in both Greek and Latin, able to compose, offhand and readily, suitable answers to the compositions of others.<sup>96</sup>

His study of rhetoric and practice in oratory did not cease when he came of age and went to live at Capreae, for he strove to emulate the aged Tiberius in all respects, especially in eloquence.<sup>97</sup> We have one additional piece of information regarding this period of Gaius' life. He was devoted to the theatrical arts of dancing and singing, and Tiberius indulged these inclinations in the hope that they might soften his savage nature.<sup>98</sup> Tiberius' attitude toward these recreational activities permits their inclusion as matters of training. His indulgence bears the mark of the old Roman attitude: only for some special reason were such undignified actions allowed.

On Capreae certain unauthorized persons undertook to instruct Gaius in the proper line of conduct to take in gaining the principate and afterward. One such adviser was Marcus Julius Agrippa, the Jewish prince, who had been reared at Rome with

<sup>94</sup> Cf. Balsdon, *op. cit.*, pp. 13-14, 207-208.

<sup>95</sup> Tacitus, *Ann.*, XIII, 3; Suetonius, *Calig.*, 53.

<sup>96</sup> Josephus, *A. J.*, XVIII, 6, 8; XIX, 2, 5.

<sup>97</sup> Josephus, *A. J.*, XIX, 2, 5; cf. Tacitus, *Ann.*, VI, 20, 45.

<sup>98</sup> Suetonius, *Calig.*, 53, 1.

Claudius and with Tiberius' son, Drusus.<sup>99</sup> It is probable that Agrippa gave Gaius instruction in the arts of true Eastern despotism. Another sycophant was Macro, praetorian prefect under Tiberius.<sup>100</sup> Macro was anxious to elevate Gaius' character and soften his disposition before he should come to reign. He was particularly troubled by the prince's undignified actions, such as his desire to join in public dancing.<sup>101</sup> The youth's reaction to his admonitions may be an index of his attitude toward all instructors who advised him contrary to his will. Gaius despised Macro as an inferior and expressed scorn for his advice:

εἴτα ἐμὲ τὸν καὶ πρὸ τῆς γενέσεως ἔτι κατὰ γαστρὸς ἐν τῷ τῆς φύσεως ἐργαστηρίῳ διαπλασθέντα αὐτοκράτορα τολμᾶ τις διδάσκειν, ἀνεπιστήμων ἐπιστήμονα; ποῦ γὰρ τοῖς ἴδιάταις πρὸ μικροῦ θέμις εἰς ἡγεμονικῆς ψυχῆς παρακύψαι βουλεύματα;<sup>102</sup>

If such was Gaius' attitude, it is very doubtful that he would deign to study philosophy, a great branch of which then dealt with questions of conduct. At any rate, we have no information that he did study philosophy. And as Suetonius makes a special point of the fact that Gaius never learned to swim,<sup>103</sup> we know that his education was lacking in at least one of the fundamentals of Augustus' day.

**NERO:** The earliest years of Lucius Domitius Ahenobarbus gave no hint of the position that fate had in store for him. He was three when his father died, leaving him only a third of his estate, and because of the avarice of the Emperor Gaius he did not receive that in full. Shortly afterward his mother, the younger Agrippina, was banished, and the boy was sent to his aunt, Domitia Lepida. In her home he was almost in actual want, and his two *paedagogi* were a dancer and a barber. But Lucius was only four when Claudius became emperor, and shortly thereafter he recovered his father's property and also received an inheritance from his stepfather, Crispus Passienus.

<sup>99</sup> Josephus, *A. J.*, XVIII, 6, 5-6; *Bellum Judaicum*, II, 9, 5.

<sup>100</sup> Tacitus, *Ann.*, VI, 45; Philo Judaeus, *Legatio ad Gaium*, 6-8.

<sup>101</sup> Philo, *Leg. ad Gaium*, 7, 41-43.

<sup>102</sup> Philo, *Leg. ad Gaium*, 8, 56. (Entire speech: 53-56.)

<sup>103</sup> Suetonius, *Calig.*, 54.

Before long, too, his mother was recalled from banishment, and from then on this prince's fortunes rose rapidly.<sup>104</sup>

It was probably upon the death of Passienus that Asconius Labeo was appointed guardian (*tutor*) to Lucius.<sup>105</sup> This state of *tutela* naturally terminated when Claudius adopted the boy at the age of eleven.<sup>106</sup> The two instructors Anicetus and Beryllus evidently belonged to this same period of the prince's life (between the ages of four and eleven). The former, a freedman, is characterized as *paedagogus* and as *pueritiae Neronis educator*.<sup>107</sup> Beryllus was perhaps a Greek freedman; he later became Nero's secretary for Greek epistles.<sup>108</sup>

When Nero was about eleven years old, his mother, then empress, engaged the well-known Lucius Annaeus Seneca, son of the *rhetor* of the same name, as his tutor.<sup>109</sup> She had first to obtain a reversal of his exile, for Seneca had fallen into Claudius' disfavor.<sup>110</sup> Agrippina may have been actuated partly by ulterior motives, as Tacitus suggests, but at all events she was eager to have her son trained by so eminent a preceptor. Seneca was not only a scholar and writer but also a man of senatorial rank, who thus commanded greater respect from his pupil than would a freedman or slave. The arrangement lasted until Nero became emperor six years later.

Seneca is remembered today as the most famous Roman moralist and philosopher, but Agrippina did not allow her son to be taught philosophy at all. She considered such knowledge—and, no doubt, such tolerance and forbearance—a drawback in one destined to rule,<sup>111</sup> and she was determined to see Nero

<sup>104</sup> Suetonius, *Nero*, 6, 3-4.

<sup>105</sup> Tacitus, *Ann.*, XIII, 10.

<sup>106</sup> Suetonius, *Nero*, 7, 1.

<sup>107</sup> Suetonius, *Nero*, 35, 2; Tacitus, *Ann.*, XIV, 3. He and Agrippina came to hate each other, and he finally (Tacitus, *Ann.*, XIV, 3, 7-8, and 62) became Nero's chief instrument in matricide.

<sup>108</sup> Josephus, *A.J.*, XX, 8, 9. On the possibility of identifying Beryllus with Afranius Burrus, see *R.-E.*, *s. v.* *Beryllus*. The Vaison inscription (*C. I. L.*, XII, 5842) makes their identity most unlikely, and Josephus himself (cf. *A.J.*, XX, 8, 2) seems to distinguish between the two men.

<sup>109</sup> Tacitus, *Ann.*, XII, 8; Suetonius, *Nero*, 7, 1; Dio, LX, 32, 3.

<sup>110</sup> Tacitus, *Ann.*, XII, 8.

<sup>111</sup> Suetonius, *Nero*, 52. Suidas' statement (*s. v.* 'Αλέξανδρος Αλγαιος)

become emperor. It is possible, of course, that Nero learned the principles of Stoic philosophy indirectly from Seneca.

With philosophy barred, the position of rhetoric in Roman education would be still further enhanced. Seneca himself seems to have been Nero's chief tutor in rhetoric.<sup>112</sup> It was said that he prevented the boy from reading the early orators in order to keep his admiration for his teacher intact, but it is possible that he simply followed the trend of the times in neglecting the early orators in favor of the more showy modern ones. The highly rhetorical nature of Seneca's extant works shows that his qualifications as a *rhetor* were excellent. Although Nero did not evince as great enthusiasm for oratory as for his artistic pursuits, he did not neglect public declamation as a means to popular acclaim. During Claudius' consulship he pleaded—with great success, needless to say—causes in behalf of the Bononians, the Apameans, the Rhodians, and the Ilians. On some occasions he spoke in Greek, on others in Latin. The case for the Ilians obviously afforded him the best opportunity for eloquence, and in florid style he represented the Romans as descendants of the Trojans, and Aeneas as the founder of the Julian line.<sup>113</sup>

There is, however, strong reason to suspect that Seneca, and not his young pupil, may have written the orations just mentioned. We are told that when Nero began his reign at the age of seventeen he first entered the camp and read to the soldiers a speech which Seneca had written, and that a little later he used several impressive speeches composed for him by Seneca.<sup>114</sup> At Claudius' funeral the older people noted that Nero was the first Roman emperor to have need of another's eloquence, and they compared him unfavorably with Julius Caesar, Tiberius, Gaius, and Claudius in this respect.<sup>115</sup> On the other hand, the Emperor Nero found occasion to thank his

must be discredited unless we suppose that two other philosophers also taught the prince subjects other than philosophy.

<sup>112</sup> Tacitus, *Ann.*, XIII, 2; Suetonius, *Nero*, 52.

<sup>113</sup> Tacitus, *Ann.*, XII, 58; Suetonius, *Nero*, 7, 2.

<sup>114</sup> Dio, LXI, 3; Tacitus, *Ann.*, XIII, 3, 11. Tacitus shows here the same discerning attitude toward the oratory of this day that he exhibits more fully in the *Dialogus de Oratoribus*.

<sup>115</sup> Tacitus, *Ann.*, XIII, 3.

old tutor for having developed in him the ability to express himself both extemporaneously and in prepared addresses.<sup>116</sup> Perhaps we may conclude that he found his own command of rhetoric adequate for most purposes, but that on special occasions he relied upon the eloquence of his teacher.

Suetonius writes at some length to prove that the poetry attributed to Nero was actually written by him and that he did not, as some supposed, publish the works of others as his own. Both Suetonius and Tacitus mention painting and sculpture, as well as the composition of verse, among Nero's chief boyhood interests.<sup>117</sup> There can be little doubt that he was the most artistically inclined of the Julio-Claudians under consideration. His poems were used in schools during his lifetime,<sup>118</sup> but this fact is hardly to be accepted as proof of their merit. Yet had they not been somewhat creditable, it seems unlikely that he would have been accused of plagiarizing. It would be interesting to know whether he had formal instruction in painting and sculpture or simply turned to them of his own accord.

Despite Nero's great enthusiasm for music, it is possible and likely that music had only a minor place in his supervised education. We must remember that he became emperor in his seventeenth year and subsequently could indulge his own tastes freely. Suetonius' words are significant:

Inter ceteras disciplinas pueritiae tempore imbutus et musica, statim ut imperium adeptus est, Terpnum citharoedum vigentem tunc praeter alios arcessit diebusque continuis post cenam canenti in multam noctem assidens paulatim et ipse meditari exercerique coepit. . . .<sup>119</sup>

As a boy, Nero delighted in horseback riding.<sup>120</sup> He likewise became deeply absorbed in chariot racing, an interest which was deemed unworthy of a prince. In fact, he was forbidden to talk on the subject. Once when he was chattering to his fellow students about a charioteer, he was scolded by his *paedagogus* but slyly pretended that he was talking of Hector.<sup>121</sup> This incident

<sup>116</sup> Tacitus, *Ann.*, XIV, 55.

<sup>117</sup> Suetonius, *Nero*, 52; Tacitus, *Ann.*, XIII, 3.

<sup>118</sup> *Scholia ad Persium*, 1, 29; cf. Suetonius, *Nero*, 10, 2; 12, 3.

<sup>119</sup> Suetonius, *Nero*, 20, 1.

<sup>120</sup> Tacitus, *Ann.*, XIII, 3.

<sup>121</sup> Suetonius, *Nero*, 22, 1.

seems to belong to Nero's early years, before Seneca was in charge of him, and we notice that he then had fellow students and was not tutored entirely alone.

Both Seneca and Afranius Burrus, Nero's instructor in military strategy, tamed the young man's unruly disposition and restrained his wilder desires as much as lay in their power under difficult circumstances. Burrus, who had an excellent record and reputation as a soldier,<sup>122</sup> confined himself to military affairs and moral discipline, while Seneca stressed elegant manners as well as oratorical eloquence.<sup>123</sup> Authorities are somewhat in conflict about Seneca's character, but he was probably as honorable and as conscientious as he could be while still retaining Agrippina's favor.<sup>124</sup> If this statement seems almost meaningless, it can at least be said that his influence on Nero was a good one. This conclusion is borne out by the young man's conduct during the early part of his reign, when he was largely under Seneca's guidance.<sup>125</sup>

Agrippina spared no effort in preparing her son to be a ruler, although she herself intended to be, as for a time she was, the power behind the throne. The effect of her eager "pushing" upon his artistic nature should not be forgotten in a consideration of the adult Nero. She was emotionally unstable, and periods of great disciplinary rigor may have alternated with periods of lenience.<sup>126</sup> Moreover, a most unfortunate situation developed because of the bitter rivalry between Agrippina and Domitia Lepida, the aunt of Nero. These two engaged in a struggle for predominant influence over the prince, and Lepida strove to win his favor by being unduly indulgent, thus vitiating the effect of Agrippina's disciplinary measures.<sup>127</sup>

**BRITTANICUS:** History throws an impenetrable veil over the personality of Britannicus, the son of Claudius and Messalina, but scholars have been inclined to favor him and pity his lot.

<sup>122</sup> Tacitus, *Ann.*, XII, 42.

<sup>123</sup> Tacitus, *Ann.*, XIII, 2.

<sup>124</sup> Dio is disposed to view Seneca as a hypocrite; cf. especially LXI, 10.

<sup>125</sup> Tacitus, *Ann.*, XIII, 2, 5-6, 11, 13, and 20-21; Dio, LXI, 3-4.

<sup>126</sup> Cf. Tacitus, *Ann.*, XII, 64; XIII, 13.

<sup>127</sup> Tacitus, *Ann.*, XII, 64-65.

He showed great promise when small, and his father would often take him in his arms and commend him to an assembly of soldiers or to the people at the games.<sup>128</sup> During this early period, at least, Claudius seems to have taken some interest in the children of his household, for he made a point of having his own children and those of distinguished men present at the great dinner parties which he gave from time to time.<sup>129</sup>

Britannicus' education until the time that Agrippina became his stepmother, and probably for some time thereafter, was of the best. The boy Titus, who was practically the same age, was brought up at court along with the prince and was taught the same subjects by the same masters, and through the information given about Titus we may form an estimate of Britannicus' own education.<sup>130</sup> All the arts, both of war and of peace, were included. We are told that Titus made speeches well and wrote verses in Latin and Greek with ease. He also sang and played the harp agreeably, and there is separate evidence that Britannicus too could sing creditably.<sup>131</sup>

One of Britannicus' tutors was Sosibius, who on one occasion was granted a million sesterces for instruction rendered the prince and for counsel to Claudius.<sup>132</sup> He seems to have been an appointee of Messalina.<sup>133</sup>

Before Britannicus reached his tenth year, a startling change in his life and prospects had taken place. His mother had been put to death, and he had a stepmother, Agrippina. Agrippina's own son, Nero, had been adopted by the Emperor and was being favored more and more. Most of the common people readily accepted the new situation, for they remembered Germanicus sentimentally and transferred their affections to his grandson with ease.<sup>134</sup>

While advancing her son and giving him every advantage, Agrippina saw to it that Britannicus had neither the honor nor the care befitting his station. Upon very slight pretexts she

<sup>128</sup> Suetonius, *Claud.*, 27, 2.

<sup>129</sup> Suetonius, *Claud.*, 32.

<sup>130</sup> Suetonius, *Titus*, 2-3.

<sup>131</sup> Tacitus, *Ann.*, XIII, 15; cf. Suetonius, *Nero*, 33, 2.

<sup>132</sup> Tacitus, *Ann.*, XI, 4.

<sup>133</sup> Tacitus, *Ann.*, XI, 1.

<sup>134</sup> Tacitus, *Ann.*, XI, 11.

induced the Emperor to remove or put to death the best of his son's tutors, and Sosibius was one who lost his life. Then Agrippina herself chose for Britannicus tutors and guardians who would best serve her purposes. It is also related that she would not allow him to be with his father or appear in public.<sup>135</sup> She represented him to the people as an epileptic, whether such was the case or not.<sup>136</sup> There were many rumors and stories to show that he had intelligence and ability,<sup>137</sup> but his early death left all a matter of conjecture.

ENID RIFNER PARKER.

DUKE UNIVERSITY.

<sup>135</sup> Dio, LX, 32, 1 and 5-6; Tacitus, *Ann.*, XII, 41.

<sup>136</sup> Dio, LX, 33, 10; cf. Suetonius, *Nero*, 33, 3.

<sup>137</sup> Tacitus, *Ann.*, XII, 26; cf. Suetonius, *Claud.*, 43.

## ON THE PRE-HISTORY IN DIODORUS.<sup>1</sup>

Reinhardt was the first to attach Diodorus, I, 7-8, to Democritus *via* Hecataeus of Abdera.<sup>2</sup> His general theory met with broad acceptance.<sup>3</sup> But it was later challenged by J. H. Dahlmann,<sup>4</sup> chiefly on the allegation that (as Eduard Schwartz had suggested) the cosmogony in Diodorus I, 7, was pre-atomistic. Dahlmann's argument was examined and rejected by Philippson,<sup>5</sup> who reaffirmed his earlier view that Hecataeus' source was Epicurus. More recently J. S. Morrison accepted Dahlmann's view, though ignoring Philippson's critique; noting similarities between the *Protagoras* myth and Diodorus, I, 8, Morrison inferred that both "derive from a pre-atomistic Ionian source."<sup>6</sup>

This note does not propose to review the argument as a whole. It keeps to one or two points which may deserve more attention than they have yet received.

### I.

Judging from the theory of language in Diodorus, I, 8, 3-4, Hecataeus' source must be pre-Epicurean. Reinhardt slurred over this point; he was more anxious to show that Epicurus' own theory of language was Democritean.<sup>7</sup> Let us recall the two stages in the development of language clearly distinguished by

<sup>1</sup> I am indebted to Professor B. D. Meritt for a number of helpful suggestions.

<sup>2</sup> "Hekataios von Abdera und Demokritos," *Hermes*, XLVII (1912), pp. 492 ff. For Hecataeus of Abdera as a source in Diodorus, I, see Ed. Schwartz's article on Diodorus in *R.-E.*

<sup>3</sup> E. g., Ed. Norden, *Agnostos Theos* (Leipzig, 1913), pp. 379 ff.; Graf Uxkull-Gyllenband, *Griechische Kultur-Entstehungslehre* (Berlin, 1924), pp. 25 ff. Diodorus, I, 7-8, along with roughly parallel excerpts from Hermippus and Tzetzes, was incorporated as collateral material under frag. 5 of Democritus by H. Diels in *Fragmente der Vorsokratiker* (4th ed., Berlin, 1922; 5th ed., with W. Kranz, Berlin, 1934-7).

<sup>4</sup> *De Philosophorum Graecorum Sententiis ad Loquellae Originem Pertinentibus* (Diss., Weida, 1928), pp. 23 ff.

<sup>5</sup> Review of Dahlmann in *Phil. Woch.*, XLIX (1929), pp. 666 ff.

<sup>6</sup> "The Place of Protagoras in Athenian Public Life," *C. Q.*, XXXV (1941), p. 9. To this interesting paper I owe the stimulus which led me to write this note.

<sup>7</sup> *Loc. cit.*, pp. 501 ff.

Epicurus.<sup>8</sup> In the first, names were “compelled” by nature.<sup>9</sup> Superficially this looks like Democritus’ theory that necessity is the historic source of the arts.<sup>10</sup> In point of fact it is characteristically and uniquely Epicurean. It departs from Democritus in a way which parallels the deviation of Epicurean epistemology from the Democritean. Feelings and impressions directly “form into shape the vocal sound”;<sup>11</sup> much as in the theory of knowledge the in-coming stimulus can so mould the sensorium that the sense-image will reproduce “the very form of the physical object.”<sup>12</sup>

<sup>8</sup> *Ep. ad Hdt.*, 75, 76; C. Bailey, *The Greek Atomists and Epicurus* (Oxford, 1928), pp. 267 ff. and 380 ff.; Robin’s note on Lucretius, V, 1028 ff. and Robin-Ernout on *ibid.*, 1041 (*Commentaire*, III [Paris, 1928]).

<sup>9</sup> *ἀναγκασθῆναι*, *Ep. ad Hdt.*; cf. *at varios linguae sonitus natura subegit mittere*, Lucretius, V, 1028, and *varii sensus animalia cogunt . . . varias emittere voces*, *ibid.*, 1087-8.

<sup>10</sup> *Frag. 144*. See below, § II; and the writer’s “Ethics and Physics in Democritus,” II, § IV, to appear in a forthcoming issue of *The Philosophical Review*.

<sup>11</sup> *Ep. ad Hdt.*, 75, *ἰδίως τὸν ἀέρα ἐκπέμπειν στελλόμενον ὑφ’ ἐκάστων τῶν παθῶν καὶ τῶν φαντασμάτων*.

<sup>12</sup> *Ep. ad Hdt.*, 50, καὶ ἦν ἀν λάβωμεν φαντασίαν ἐπιβλητικῶν τῇ διανοίᾳ ἢ τοῖς αἰσθητρίοις . . . , μορφή ἐστιν αὕτη τοῦ στερεωτίου, γνομένη κατὰ τὸ ἔξης πύκνωμα ἢ ἐγκατάλειμμα τοῦ εἰδώλου. I agree with De Witt (“Epicurus: All Sensations are True,” *T. A. P. A.*, LXXIV [1943], pp. 19-32) that this does not commit Epicurus to the “infallibility of all sensation.” My point is not that Epicurus holds sensation to be infallible but that he does credit it with “truth” in so far as

(i) there is “likeness” (*δομούτης*) or “affinity” (*συμπάθεια*) between sense-image and material object,

(ii) this similarity being due to a physical deposit (*ἐγκατάλειμμα*) of the *eidolon* upon the sense-organ.

This is what separates him from Democritus. Sensation as such is not for Epicurus “bastard knowledge” (*Ep. ad Hdt.*, 50, *τὸ δὲ ψεῦδος καὶ τὸ διημαρτημένον ἐν τῷ προσδοξαζομένῳ ἀεὶ ἐστιν . . .*); sense-qualities as such are not “conventional” (Sextus, *Adv. Math.*, VIII, 63, *καὶ πᾶσαν φαντασίαν . . . τοιαύτην ὅποιόν ἐστι τὸ κινοῦν τὴν αἰσθησιν*). The fact of *ἐπιρυσμή* fills Democritus with black misgivings as to whether we can know “anything about anything as it really is” (frag. 7, *ἐτεῦ ὀνδὲν ἵσμεν περὶ οὐδενός*). Epicurus takes it as the very basis of the veracity of sense-perception. I have left out of this discussion the difficult question as to the meaning of *ἐπιβολή*. De Witt’s interpretation as “onfall” or “incidence” (“Epicurus, *Περὶ Φαντασίας*,” *T. A. P. A.*, LXX [1939], pp. 414-27) would strengthen my argument.

One can imagine Democritus' reaction to this copy-theory of sense-perception, had he lived to hear of it.<sup>13</sup> The prospect of getting truth out of mere *ἐπιρυσμή* seemed to him exactly nil (frag. 7; cf. frag. 9). An *ἐπιρυσμή*-theory of language could appeal to him just as little. He marshalled formal arguments to prove that no "name" has a "natural" connection with the "thing"; whence it follows that the actual connection of sign with meaning can only be fixed by "convention."<sup>14</sup>

As Proclus notes, this is antithetic to the Epicurean theory of the origin of speech.<sup>15</sup> For already in Epicurus' "first" stage we have a system of "natural" sounds which, though rough and ready, is language in all essentials. The "second" stage elaborates and perfects at the level of common consent what was

<sup>13</sup> Sextus, "almost unique among critics in exhibiting no prejudice against Epicurus" (De Witt, *T. A. P. A.*, LXXIV [1943], p. 30), puts Epicurus with Protagoras on the other side of the fence from Democritus and Plato on the question of the veracity of sense-perception (*Adv. Math.*, VII, 369 and 389).

<sup>14</sup> This is my expansion of *θέσει τὰ δύναματα* in Proclus' account (*In Crat.*, XVI). Steinhthal (*Geschichte der Sprachwissenschaft* [2nd ed., Berlin, 1890], I, p. 76) objects to *θέσει* as a "late Alexandrian" term. But it is definitely pre-Alexandrian, since Epicurus so used it (*Ep. ad Hdt.*, 75). *Όνομα*, as well as *νόμον*, *τιθέναι* is good fifth-century usage (e.g. J. E. Powell, *A Lexicon to Herodotus*, s. v. *τιθημι*, 4 and 5). *Νόμων θέσις* occurs in pseudo-Xenophon, *Ath. Const.*, III, 2, and *θέσις δύναματος* in Plato (see *θέσις* in *Ast, Lexicon Platonicum*). So I find it hard to justify Steinhthal's prejudice (endorsed by Reinhardt, *loc. cit.*, p. 502) against *θέσει τὰ δύναματα* as a possible Democritean expression. As for *τύχη* in Proclus' account, Steinhthal recalls (rightly) that the Democritean concept of "chance" makes it the very opposite of "art," and concludes (wrongly, I think) that the expression *τύχη τὰ δύναματα* is "highly suspect" (p. 177). We can see in Diodorus, I, 8, 4 that it is perfectly possible to hold the "conventional" theory of language and still say *ὡς ἔτυχε συνταξάντων τὰς λέξεις*. As we see from Proclus, *In Crat.*, XVI, Democritus thinks of ordinary language as a rather haphazard development: there are words with more than one meaning, meanings with more than one word, and meanings with no word. So if language is thought of as a collection of signs, it is pretty much of a "chance" assortment; in that sense *τύχη τὰ δύναματα*. But since none of these signs has a "natural" meaning and can only come by its "given" meaning through social agreement, he can also say *θέσει τὰ δύναματα*. Thus *τύχη* and *θέσει*, on this interpretation, refer to different aspects of language: *τύχη* to the development of a stock of signs, *θέσει* to the assignment of meaning to any one of these signs.

<sup>15</sup> *In Crat.*, XVI.

already a working system at the level of "nature."<sup>16</sup> In Diodorus, I, 8, 3, on the other hand, speech grows from (a) "meaningless and confused sounds" (*φωνῆς ἀσήμους καὶ συγκεχυμένης*) to (b) articulate words whose meanings are fixed by consent. There is no suggestion here that (a) would permit intelligible communication. Meaningful speech begins only with *τιθέντας σύμβολα* in (b). The deviation from Epicurus is a serious one; and it is unlikely than an Epicurean would be guilty of it, considering the obsession of the school with the "natural" origin of language.<sup>17</sup>

## II.

Neither can I credit Protagoras with the pre-history in Diodorus, for the latter contains ideas that are far in advance of anything in the *Protagoras* myth.<sup>18</sup> Take the origin of language

<sup>16</sup> For a different interpretation of *Ep. ad Hdt.*, 75-6 see P. and E. DeLacy, *Philodemus* (Philadelphia, 1941), p. 140, who think of names at the "first" stage merely as "emotional cries . . . which indicated naturally . . . to other men the feelings of the person uttering them, but which did not say anything specifically about external objects. From these cries, Epicurus says, there gradually arose a system of conventional sounds referring to objects." (See also P. DeLacy, "The Epicurean Analysis of Language," *A. J. P.*, LX [1939], pp. 87-8.) I am indebted to these authors' studies in Epicurean thought and regret that I cannot follow them on this point. For (i) it seems clear to me that in *Ep. ad Hdt.*, 75, images (*φαντάσματα*), no less than feelings (*πάθη*), evoke "naturally" their appropriate sounds; and *φαντάσματα* are images of objects (so, e.g., in *Ep. ad Pyth.*, 102, *τὸ τῆς ἀστραπῆς φάντασμα*; cf. *Ep. ad Hdt.*, 51, *ὅμοιότης τῶν φαντασμῶν . . . τοῖς οὖσι τε καὶ ἀληθέσι προσαγορευομένοις*). And (ii), even feelings are not merely "subjective" states of consciousness for Epicurus, but are conceived, at least in the case of the *πρῶτα πάθη*, pleasure and pain, as experiences of objects, pleasant and unpleasant (Sextus, *Adv. Math.*, VII, 203, *ἡδονὴ καὶ πόνος ἀπὸ ποιητικῶν τινῶν καὶ κατ' αὐτὰ τὰ ποιητικὰ συνίσταται . . . ἀνάγκη καὶ τὸ ἡδονὸς ἡδὺ καὶ τὸ ἀλγυνὸν ἀλγεινὸν τὴν φύσιν ὑποκεῖσθαι*). That the original "natural" names refer to objects is also suggested by Lucretius, V, 1090, *res voce notare*.

<sup>17</sup> E.g. Diogenes of Oenoanda (ed. William), frag. 10, *μήτε τῶν φιλοσόφων πιστεύωμεν . . . κατὰ θέσιν καὶ διδαχὴν ἐπιτεθῆναι τὰ ὄντα* (and cf. unknown Epicurean cited by William *ad loc.* from *Herculanensium Voluminum Collectio Altera*, VII, col. 26, *φύσει δὲ τὰς πρώτας τῶν ὄντων ἀναφωνήσεις γεγονέναι λέγομεν*). Cf. also Lucretius, V, 1028 ff., where the second stage of the Epicurean theory has shrunk to near-extinction: it is given less than a line, in 1029.

<sup>18</sup> It is a pity that this should be our only source for Protagorean

once again. All we get in *Prot.* 322 A is *ἐπειτα φωνὴν καὶ ὀνόματα ταχὺ διηρθρώσατο τῇ τέχνῃ*. Only one aspect of speech, articulation (*διηρθρώσατο*), is explicitly subsumed here under *τέχνῃ*. This stops far short of a full-blown “conventional” theory of speech.<sup>19</sup> Moreover, the art of speech is sandwiched in between the establishment of altars and the invention of dwellings, clothes, etc.; no attempt is made to connect it with the growth of political association. Diodorus, on the other hand, presents language as part of an orderly historical development where each stage is causally connected with its predecessor:

- (i) Men set out *σποράδην* to look for food;
- (ii) attacked by wild beasts,
- (iii) they are driven to associate for mutual help.
- (iv) In the course of this association they come to know one another, and
- (v) develop speech.<sup>20</sup>

pre-history. For if *Ιερὶ τῆς ἐν Ἀρχῇ Καταστάσεως* (Diels-Kranz, 80, B, 8b) be accepted as the title of a genuine Protagorean treatise, we should assume that Protagoras had a systematic theory, picturesque fragments of which are all that survive in the Platonic fable. Under the circumstances, however, we must judge Protagoras' pre-history by these meager remains. We cannot credit him with ideas which he might perhaps have held but which are not substantiated, directly or indirectly, in the *Protagoras* myth.

<sup>19</sup> It is significant that the tradition credits the “conventional” theory of speech to Democritus, never to Protagoras; so, e.g., Proclus' *In Cratylum*; so too the *Cratylus* itself, where Protagoras gets a beating on other counts (385 E ff., 391 C), but with no suggestion that the conventional theory of language is one of his many sins.

<sup>20</sup> I, 8, 1-4. In the *Protagoras* myth steps (i), (ii), and (iii) occur in 322 B, *after* the invention of the arts of religion, speech, industry, and agriculture in 322 A. In Lucretius, V, 958-1090, on the other hand, we have roughly the same sequence as in Diodorus, I, 8. Both the Protagorean view that words were articulated by “art” and the Democritean that words were given meaning by “convention” make way for Lucretius' soundly Epicurean doctrine of the “natural” origin of language (1028-90). Lucretius, however, as Epicurus may have done before him, attempts to merge as best he can the “natural” origin of speech with its political utility. When he balances *natura subegit* in 1028 with *utilitas expressit* in 1029, I assume he is thinking of the political uses of speech that he has just discussed in 1019-27: communication is indispensable for the *foedera* (1029) without which *genus humanum iam tum foret omne peremptum* (1026).

The political function of speech is so clearly grasped that ethnic differences are conceived as essentially linguistic in origin (I, 8, 4).

More conclusive are two further considerations: (a) that the pre-history in Diodorus identifies the cause of the emergence of the arts, while the *Protagoras* myth does not; (b) that the pre-history in Diodorus clearly excludes a teleological interpretation, which the *Protagoras* myth does not.

As to (a), Diodorus, I, 8, 7 offers a *genetic* theory, which names "necessity"<sup>21</sup> as the primary cause of man's cultural origins. There is nothing like this in the *Protagoras* myth. What we get there instead is the *analytic* principle that the human arts are analogous to the biological devices by which animal species survive: each species, animal or human, is endowed with its peculiar *δύναμις εἰς σωτηρίαν* (320 E). The source of these survival-weapons is assigned to the allegorical agency of conventional gods, i. e. left unexplained.

Now (b),—it is certainly possible to interpret the origin of these survival-weapons in mechanistic terms—i. e. in terms of "chance" variations, the elimination of unsuccessful variants, and the survival of the fittest. This interpretation is a possible one for us; and it was possible in the fifth century for any student of Empedocles.<sup>22</sup> Nevertheless, there is nothing in the myth to decide in favor of this interpretation. The fact that each species was equipped with a distinctive "saving power" was equally susceptible of teleological interpretation; and this construction is just what we find in two passages, each of which bears striking similarities to certain parts of the *Protagoras* myth:<sup>23</sup> Herodotus, III, 108 cites the high rate of reproduction,

<sup>21</sup> *χρεῖα διδάσκαλος*, Diodorus, I, 8, 4, which is obviously an alternate for *ἀνάγκη διδάσκαλος* (so in the parallel in Tzetzes, Diels-Kranz, II, p. 138, line 1). Cf. the interchangeable use of *χρεῖα* and *ἀνάγκη* in Περὶ Ἀρχαῖς Ἰητρικῆς, 3, *αὐτὴ ἡ ἀνάγκη ἐποιησε ζητηθῆναι . . . διὰ ταύτην τὴν χρεῖαν ζητῆσαι*.

<sup>22</sup> Cf. Aristotle's statement of the mechanistic theory: *ταῦτα μὲν ἐσώθη ἀπὸ τοῦ αὐτομάτου συστάντα ἐπιτηδεῖως· σοι δὲ μὴ οὕτως, ἀπώλετο καὶ ἀπόλλυται, καθάπερ Ἐμπεδοκλῆς λέγει τὰ βουγενῆ ἀνδρόπρωρα* (*Phys.*, 198 b 30-2).

<sup>23</sup> See S. O. Dickerman, *De Argumentis apud Xenophontem, etc.* (diss., Halle, 1909), pp. 53 ff. and 77 ff. Nestlé had argued for Protagorean influence on Herodotus, III, 108, in *Philol.*, LXVII (1908), p. 553.

which enables "timid and edible creatures" to survive (cf. *Prot.* 321 B), as an instance of the wisdom of divine providence ( $\tauοῦ θεοῦ \dot{\eta} πρόνοια \dots \dot{\epsilon}οῦσα σοφή$ ) while Aristotle (*De Part. Animal.* 662 b 28—663 a 8) assimilates other survival-weapons cited in the *Protagoras* myth into his usual teleological schema.<sup>24</sup>

It is most likely, however, that Herodotus and Aristotle, like the Christian fathers later, were simply reading their own piety into the *Protagoras* myth. This leaves us with no positive explanation of the origin of the arts; and agnosticism as to the cause would be in character with Protagorean positivism. On this assumption we can explain how (1) the teleologically minded could draw from the *Protagoras* myth edifying instances of creative purpose, while (2) a mechanist could also fit the same facts into his own drily materialistic scheme of natural evolution. The latter alone could furnish the non-teleological source we need for the pre-history in Diodorus.

Who then was the first to explain both biological evolution and cultural origins by the single concept of necessity? Frag. 144 of Democritus gives the answer: the arts were "separated out by necessity" ( $\dot{\alpha}ποκρίναι τάναγκαῖον$ ). Anaxagoras too had used the cosmogonic  $\dot{\alpha}πόκρισις$  to account for human origins.<sup>25</sup> But there is the well-known indecision as between teleology and mechanism in Anaxagorean thought; and this conflict reveals itself in a strangely anthropocentric twist in Anaxagoras' concept of cosmic evolution.<sup>26</sup> It was left for Democritus to expunge all teleological residues, and account for the origin of the human arts, as well as of planets, plants, and animals, as products of physical necessity. This is a speculative achievement of the highest order, and

<sup>24</sup> As Dickerman pointed out (p. 77), the Aristotelian parallel is strengthened by another striking similarity to the *Protagoras* myth: the fourfold classification in Aristotle (*De Part. Animal.* 662 b 1-16) of animals into flesh-, herb-, fruit-, and root-eaters agrees exactly with the four types of animal food in *Prot.* 321 B.

<sup>25</sup> Frag. 4.

<sup>26</sup> E. g. the notion that every  $\dot{\alpha}πόκρισις$  produces men, with their cities, fields, etc. "as with us; and that they have a sun and a moon and the rest as with us" (frag. 4); to which Democritus may have been replying when he taught that some worlds are without sun and moon, and some are without any living creatures (Hippolytus, *Refut.*, I, 13, 2-4 = Diels-Kranz, 68, A, 40). To this aspect of Anaxagorean thought my attention was first called by Uxkull-Gyllenband, *op. cit.*, pp. 10 ff. For a critical comment on his view see § IV of my paper, cited above, note 10.

we have no warrant for crediting it to Protagoras or anyone else before Democritus himself.<sup>27</sup>

The pre-history in Diodorus not only harmonizes broadly with this necessitarian philosophy of cultural origins; it explicitly consigns *χείρας καὶ λόγου καὶ ψυχῆς ἀγχίστοιαν* to a subordinate rôle in the development of the arts: they are mere *συνεργοῖ* of necessity (I, 8, 7). As Reinhardt suggested (*loc. cit.*, p. 499), this looks like Democritean polemic against Anaxagoras.<sup>28</sup> To find it here in Diodorus strengthens the case for the Democritean character of the source.

### III.

What of Dahlmann's argument that the cosmogony in Diodorus I, 7 is pre-atomistic (with consequent prejudice to the pre-history in I, 8)? Philippson went into this matter in detail and found some additional evidence to vindicate the Democritean authorship of the zoogonic *ἱμένες*.<sup>29</sup> I have nothing of consequence to add here, and will simply annotate his conclusion. He finds just one deviation from Democritean cosmology in Diodorus: the idea that the sun belongs to our world from the very first, and does not come into it from the outside; and this, he thinks, confirms his own theory that the source is Epicurean.<sup>30</sup>

Here is the crucial passage: "The fiery part (*sc.* of the air) gathered into the highest regions, for anything of this nature, being light, moves upward;<sup>31</sup> and this is the cause of the sun and the rest of the stars being caught up into the universal whirl."<sup>32</sup>

<sup>27</sup> I assume that chapter 3 of *Περὶ Ἀρχαῖς Ἰητρικῆς*, with its remarkable doctrine of necessity as the cause of discovery in the medical arts (see above, note 21), is later than Democritus.

<sup>28</sup> Aristotle, *De Part. Animal.* 687 a 7, *'Αναξαγόρας μὲν οὖν φῆσι διὰ τὸ χείρας ἔχειν φρονιμώτατον εἶναι τῶν ζῴων ἀνθρώπον.* (See also Diels-Kranz, 61, A, 6; for further parallels see Dickerman, *op. cit.*, p. 28, n. 1.) Elsewhere Anaxagoras makes human intelligence the cause of man's mastery over the other animals (frag. 21b). Thus hands *and* intelligence sum up the Anaxagorean principles of human progress. To mention both only to relegate them to second place after necessity suggests, though of course does not prove, a conscious reference to Anaxagoras in Diodorus' original source.

<sup>29</sup> *Loc. cit.*, pp. 671-3.

<sup>30</sup> *Ibid.*, p. 671.

<sup>31</sup> The rising of fire is explained here consistently with Democritean physics (*De Caelo*, 309 a 1 f.).

<sup>32</sup> The last clause is characteristically Democritean. Cf. Lucretius,

The only direct collision of this passage with traditional accounts of Democritean cosmology is with pseudo-Plutarch's *Stromateis*, 7.<sup>33</sup> There we get the curious<sup>34</sup> view of two stages in the creation of the stars: (1) an original pre-fiery phase, and (2) a later enlargement of the orb of the sun<sup>35</sup> by taking in fire. Diodorus is not flatly inconsistent with (2), but completely ignores (1). Assuming that *Strom.*, 7, is reliable, the discrepancy could be explained through attrition or simplification of Democritean doctrine on its way to Diodorus.

#### CONCLUSION.

These observations do not amount to anything like a conclusive argument. But so far as they go they strengthen the assumption that Diodorus, I, 8, represents broadly a Democritean point of view. Just how much of Democritus survives the double filter of Hecataeus and Diodorus we cannot tell. The value of the passage for Democritus is, therefore, distinctly less than that of a secondary source. It can only be used to fill out ideas for which some independent warrant exists in surviving Democritean fragments.

GREGORY VLASTOS.

QUEEN'S UNIVERSITY,  
KINGSTON, ONTARIO.

---

V, 624, *cum caeli turbine ferri*. The movement of the whirl "vanishes" in the lower regions; so ἐναποληφθῆναι τῇ δίνῃ makes good sense: when they rise high enough they are "caught up" in the whirl.

<sup>33</sup> H. Diels, *Doxographi Graeci* (Berlin, 1879), p. 581 = Diels-Kranz, 68, A, 39.

<sup>34</sup> I say "curious," because, on Democritean assumptions, would we expect any large earthy body to keep its place in the air over a long period, instead of moving to its "like" (frag. 164), the earth?

<sup>35</sup> Following Bailey's translation of μεγεθοποιημένου τοῦ περὶ τὸν ἥλιον κύκλου, *op. cit.*, p. 150.

## THE HISTORY OF *PIGNORISCAPIO*.

Legal experts, both ancient and modern, have devoted a good deal of attention to the procedure known as *pignoriscapio*, or "distress." There is general agreement among them that it was of great antiquity and that it originated in the delegation by a magistrate of his power of seizure, in certain cases, to non-magistrates engaged in the collection of debts due, directly or indirectly, to the state. The experts disagree, however, as to the period at which *pignoriscapio* ceased to be used. It is the purpose of this paper to trace the history of the procedure and try to reach a conclusion about when, and in what circumstances, it ceased to function.

It is unfortunate that we do not certainly know when the procedure by *legis actio* gave way to the formulary system, because this would help our enquiry.<sup>1</sup> Roman jurists were not agreed as to whether *pignoriscapio* could be classed among the *legis actiones*, but all seem to have held that, even if it could, the *legis actio per pignoriscaptionem* had developed out of a more primitive procedure.<sup>2</sup> We may assume, therefore, that *pignoriscapio* is an older form of procedure than *legis actio*. It had nothing in common with the later formulary system and in the time of Gaius it survived only as the basis of a legal fiction.<sup>3</sup> Carcopino has demonstrated that references to it in imperial times are to a revived and altered form of the primitive procedure.<sup>4</sup> Our enquiry, therefore, will be confined to the republican period, during which *pignoriscapio*, in its earlier form, ceased to be used.

Gaius is the obvious starting point. He gives a list,<sup>5</sup> which there is no reason to think is not exhaustive,<sup>6</sup> of the cases in which *pignoriscapio* was exercised by non-magistrates. There are six of them, as follows:

1. By the soldier, to recover the *aes militare*.
2. By the cavalryman, to recover the *aes equestre*.
3. By the cavalryman, to recover the *aes hordearium*.

<sup>1</sup> See Buckland, *Textbook of Roman Law*, pp. 621 f.

<sup>2</sup> Gaius, *Inst.*, IV, 29.

<sup>3</sup> *Ibid.*, IV, 32.

<sup>4</sup> *Loi de Hiéron*, pp. 130 f.

<sup>5</sup> *Inst.*, IV, 26 f.

<sup>6</sup> Buckland, *op. cit.*, pp. 618 f.

4. By the seller of animals for sacrifice, against those who failed to pay.
5. By the owner of an animal who hired it out to get money for a sacrifice, against a hirer who failed to pay.
6. By the *publicani*, against defaulting taxpayers.

The first three cases, according to Gaius, arose *moribus*, whereas the last three were established by law. Numbers 4 and 5 concern religion and fall outside the scope of this enquiry. The other four have the common feature, mentioned above, that they are all cases in which a debt due to the state was collected by a person who was not a magistrate. Let us take them one by one and see if their history will throw any light on the procedure as a whole.

### 1. *Aes militare.*

The soldier's right of *pignoriscapio* was exercised against the *tribunus aerarius*,<sup>7</sup> who appears to have been the person responsible for the collection of the *tributum* and the payment out of it of the soldier's pay. Unfortunately, the history of the *tribuni aerarii* is very obscure. Their function as paymasters belongs to the early republican period. They reappear in the first century B. C. as men of a certain social or financial status acting as jurors under the *lex Aurelia* of 70 B. C. By that time they had lost their connection with military pay. When did they lose it?

There are two passages of Plautus which are evidence that they still had it in his time. In *Poenulus* 1285-6 the *miles* Antamoenides says:

pro maiore parte prandi pignus cepi, abii foras;  
sic dedero: aere militari tetigero lenunculum.

This is obviously a joking reference to the right of *pignoriscapio* in connection with the *aes militare*. The other passage is *Aulularia* 525 ff., where Megadorus, the *senex*, complaining of his poverty, due to the extravagance of his womenfolk, says:

ubi nugigerulis res soluta est omnibus,  
ibi ad postremum cedit miles, aes petit.  
itur, putatur ratio cum argentario;  
miles impransus astat, aes censem dari.

<sup>7</sup> Cato, *ap.* Gellius, VI (VII), 10, 2. It is perhaps significant that Cato here uses the past tense,—*debebat*.

ubi disputata est ratio cum argentario,  
etiam ipsis ultro debet argentario;  
spes prorogatur militi in alium diem.

Commenting on this, Varro explains it as a reference to the *aes militare*, claimed by the soldier from the *tribunus aerarius*.<sup>8</sup> Modern editors and commentators have rejected Varro's explanation, but without adequate grounds. It may be true, as one editor says, that "the soldier does not appear to be a tax-collector,"<sup>9</sup> but it was perfectly possible for Plautus, introducing one of his many Roman allusions, to imply that Megadorus was a *tribunus aerarius*.

Ps.-Asconius, commenting on Cicero, *Verr.*, II, 1, 34,<sup>10</sup> gives us what may be the next stage in the history of the *tribuni aerarii* when he describes *pecunia attributa* as *quae in stipendium militum de aerario a tribunis aerariis adnumerari quaestori solet*. This would imply that the *tribunus aerarius* no longer had direct contact with the troops but had become a sort of treasury official, and that the actual payment to the soldier was made by the *quaestor*. But the passage may be mere conjecture and must not be given great weight. By the time of Polybius, however, it was definitely the *quaestor* who was responsible for the payment of troops.<sup>11</sup> When the duty was transferred to him from the *tribunus aerarius* we do not know. One is tempted, however, to surmise that the change is connected with the acquisition of provinces outside Italy. When troops had to do garrison duty in Sicily or Sardinia and Corsica, a *quaestor* was sent with them to act as paymaster. Soldiers could not be expected to come to Rome to claim arrears of pay from the *tribunus aerarius*. Perhaps the latter lingered on as an anachronism for some time. It may even be that Plautus, in alluding to him, was referring to an institution which was in the news at the moment by being threatened with extinction. In any case, we may safely assume that the *tribunus aerarius* ceased to be a paymaster before the middle of the second century B. C. The soldier's right of *pignoriscapio* disappeared at the same time, since it could not be exercised against the *quaestor*, who was a magistrate.

<sup>8</sup> *Ling. Lat.*, V, 181.

<sup>9</sup> E. J. Thomas, *ad loc.*; cf. Fraenkel, *Plautinisches im Plautus*, p. 138.

<sup>10</sup> P. 167 (Orelli).

<sup>11</sup> Polybius, VI, 39, 15.

2. *Aes equestre.*

On the right of *pignoriscapio* in respect of the *aes equestre*, the sum of money allotted to a cavalryman to purchase a horse, our authorities are at variance. Gaius says that the cavalryman had it, though he does not tell us against whom it operated. Some supporting evidence may be obtained from Cicero,<sup>12</sup> who, though not mentioning *pignoriscapio*, implies that the *aes equestre* was like the *aes hordearium* in being provided by a special levy on *uiduae* and *orbi*. There was a right of *pignoriscapio* for the *aes hordearium*,<sup>13</sup> so that, if the two were similarly provided, we may assume one for the *aes equestre*, as Gaius says.

But Livy, on the other hand, makes a clear distinction between the methods of paying the two *aera*. According to him, the *aes equestre* was paid *ex publico*,—by a direct state grant,—whereas the *aes hordearium* came from the *uiduae*.<sup>14</sup> Cato seems to be in accord with Livy when he implies that the provision of cavalry horses was a matter for the state.<sup>15</sup>

There are two possible explanations of this divergence. Possibly Cicero and Gaius made the mistake of confusing the two *aera*,—in which case there was no right of *pignoriscapio* in respect of the *aes equestre*. They may, however, be preserving evidence of a stage earlier than that described by Livy. There must have been a time, before the introduction of coinage, when the cavalryman was supplied with an actual horse. It is easy to conceive that, in that case, a cavalryman may have had the right to seize a horse from someone designated by the state to provide it. This right of seizure would be lost when, instead of a horse, cash was given from state funds. In the case of the *aes equestre*, therefore, either there never was a right of *pignoriscapio* or it was lost very early.

3. *Aes hordearium.*

Gaius tells us that the cavalryman had a right of *pignoriscapio* in respect of the *aes hordearium*, money for the purchase of fodder for his horse. Livy provides supporting evidence, though without mentioning *pignoriscapio*, by saying that this money was

<sup>12</sup> *Repub.*, II, 20, 36.

<sup>14</sup> Livy, I, 43, 9.

<sup>13</sup> See below.

<sup>15</sup> Cato, *ap. Priscian*, VII, 38.

provided by *uiduae*.<sup>16</sup> It was against these, presumably, that the right of distress was exercised. Now the *aes hordearium* had ceased to exist by the time of Polybius, and probably considerably earlier.<sup>17</sup> With it, naturally, disappeared the right of *pignoriscapio*.

#### 4. *Publicani*.

The *publicani* received the right of *pignoriscapio*, according to Gaius, by law, the *lex censoria* which regulated state contracts. This would imply that they obtained the right later than soldiers or cavalrymen, who had it *moribus*. The Roman state began to employ *publicani* as soon as it had revenues which could not be collected directly, in the absence of a regular civil service. The oldest of these revenues, according to the Elder Pliny,<sup>18</sup> was the *scriptura*, a tax on grazing land. It was levied on public land both in Italy and abroad and therefore cannot have existed until Rome began to acquire public land by her conquests in Italy. In the collection of the *scriptura*, as in the case of the *aes equestre*, the right of *pignoriscapio*, delegated by the censors, would be easy to operate, since the *publicanus* would simply seize the cattle of anyone who refused to pay his dues.<sup>19</sup>

In the absence of any evidence of a *publicanus* exercising his right, we must rely on negative evidence to discover when the right was lost. In the second century B. C., the *publicani* extended their activities outside Italy and were to be found all over the Roman world engaged in the collection of rents for public land, *portoria*, and, in some areas, tithes. It became one of the chief and most troublesome duties of provincial governors to regulate transactions between them and the taxpayers, and to provide proper tribunals for the settlement of disputes.<sup>20</sup> The existence of these tribunals is an indication that the *publicani* were now compelled to sue for taxes due in the ordinary way, by process of law. We may therefore assume, with some confidence, that they lost the right of *pignoriscapio* when they began to operate

<sup>16</sup> *Loc. cit.*; cf. Cicero, *Repub.*, II, 20, 36.

<sup>17</sup> See *Class. Phil.*, XXXVIII (1943), pp. 132-4.

<sup>18</sup> *N. H.*, XVIII, 11; cf. Cicero, *Leg. Agr.*, I, 3.

<sup>19</sup> Cf. the procedure of the imperial period in Ulpian, *Dig.*, XLVII, 8, 20, discussed by Carcopino, *op. cit.*, pp. 130-1.

<sup>20</sup> See e. g. Cicero, *Prov. Cons.*, 10 f.; *Ad Att.*, II, 16, 4; V, 21, 6; VI, 1, 15; *et al.*; Valerius Maximus, VI, 9, 7.

outside Italy. The earliest evidence we have of a court to deal with their claims is in the *Lex Agraria* of 111 B. C.<sup>21</sup>

Much has been made, in this connection, of a passage in Cicero's *Verrines*,<sup>22</sup> which is said to prove that the *decumani* in Sicily possessed a right of *pignoriscapio* against the producers of grain. The passage has been discussed exhaustively by Carcopino,<sup>23</sup> so that it is unnecessary to discuss it again here. He concludes that the *decumani* had, under Verres, a right of seizure, but that this had nothing to do with the right of *pignoriscapio* once enjoyed by Roman *publicani*. The *decumani* were not Roman *publicani* but local tax-farmers, working under a local law,—the *lex Hieronica*.

In this same passage, Cicero himself is at pains to stress the difference between Sicily, under Verres, and the rest of the Roman provinces. In doing so, however, he has presented us with another problem about the *publicani* in the other provinces. There, he says, the *publicanus* is wont to be *petitor ac pignerator, non ereptor neque possessor*. Naturally, *pignerator* has been taken to refer to the right of *pignoriscapio*, which is assumed to have existed as late as 70 B. C., in consequence. But this interpretation is impossible. *Petitor* and *pignerator* are contrasted with *ereptor* and *possessor*, and it is clearly the latter two words which refer to seizure. Various explanations have been offered of this use of *pignerator*.<sup>24</sup> Whichever is correct, there is no reference in it to *pignoriscapio*. That had ceased to operate, as we have seen, in the second century B. C.

We have thus reached the conclusion that, in all these four cases, *pignoriscapio* had ceased to be in operation before the end of the second century B. C.,—a conclusion which accords well with the view that *legis actio* was replaced by the formulary procedure in the second half of that century.<sup>25</sup> Is it possible to

<sup>21</sup> Bruns, *Fontes*, II, 81, §§ 37-8; cf. §§ 19-20.

<sup>22</sup> III, 27.

<sup>23</sup> *Op. cit.*, pp. 126-44.

<sup>24</sup> See Carcopino, *op. cit.*, pp. 141-4; Rostovtzeff, *Social and Econ. Hist. of the Hellenistic World*, II, p. 966 and note; Greenwood in Loeb edition *ad loc.* Greenwood derives *pignerator* from *pignero*, which Cicero does not use. Possibly it is derived from *pigneror*, used in the sense of "claim" in *Phil.*, XIV, 32 and *Repub.*, I, 4, 8. If so, *pigneror*, "claimant," is practically synonymous with *petitor*.

<sup>25</sup> Buckland, *op. cit.*, pp. 621 f.

find some common feature which would explain its abandonment in all these cases?

Since the right was exercised, as we have seen, by non-magistrates as deputies of a magistrate, it must have been subject to certain limiting conditions. We do not know these conditions, but we may assume at least two, as follows:

1. That the magistrate could delegate his power only in cases where he could not act himself.
2. That the magistrate must be able to exercise supervision over his deputies, to prevent abuse of the power delegated.

The first condition would exist in all the cases dealt with, since it would obviously be impossible for the magistrates concerned, usually consuls or censors, to deal personally with all cases where a soldier did not get his pay, a cavalryman his horse or fodder, or a *publicanus* the tax due.

The second condition was equally essential in view of the large number of deputies involved. It must have been possible for anyone against whom the right of seizure was employed to appeal to the delegating magistrate if he felt himself wronged. Therefore we must assume that *pignoriscapio* could only be exercised in areas subject to the jurisdiction of the delegating magistrates,—i. e. in Italy.

To soldiers and cavalrymen this limitation would apply in any case, because their claims lay only against citizens and could not therefore be made outside the area covered by the thirty-five tribes. *Publicani*, as we have seen, were subject to the jurisdiction of provincial governors, whereas their right of *pignoriscapio* derived from the censor. Probably, therefore, their right of *pignoriscapio* belonged to the earlier period, when Italy was their only field of operations, and was lost when they began to operate abroad. This view gains some support from the revised form of seizure, previously mentioned, which we find in the imperial period. There the right could be exercised only under the direct supervision of the imperial procurator.<sup>26</sup>

Our conclusion, therefore, is that *pignoriscapio* ceased to be used when Roman control extended outside Italy.

H. HILL.

UNIVERSITY COLLEGE, SWANSEA.

<sup>26</sup> Carcopino, *op. cit.*, pp. 131-4.

## ΟΡΧΗΣΙΣ ΦΟΒΕΡΑ

Hesychius gives us the name of a dance figure which is mentioned as such nowhere else in Greek literature, so far as I have been able to discover. The word is *ποίφυγμα*, and Hesychius glosses it merely as *σχῆμα ὁρχηστικόν*. Ensuing entries, however, are helpful: *ποιφύξαι· ἐκφοβῆσαι. ποιφύξεις· ἐκφοβήσεις· καὶ τὸ φυσᾶν καὶ τὸ πνεῖν [ἐκ τοῦ] ποιφύσσειν. ποιφύσσει· φοβεῖ*. Meursius (*Orchestra, s. v. ποίφυγμα*) reasonably concludes of the figure: “Videtur fuisse saltatio quaedam composita ad terrorem in-cutendum, dicta ἀπὸ τοῦ ποιφύσσειν, quod est ἐκφοβεῖν.” Wright<sup>1</sup> seems to speak of the figure as “The Squealer.”

For further light upon this “terrifying” *schema* in the dance, one may turn to Pollux and Athenaeus. It has been well established<sup>2</sup> that, in matters concerning dancing, Pollux, Athenaeus, and Diogenianus (Hesychius) go back to a common source—a comparatively full treatment of the subject, no longer extant, which the three later writers condensed or excerpted, each in his own way. Neither Pollux nor Athenaeus mentions the *ποίφυγμα*; but in Pollux we find (IV, 103): ὁ δὲ λέων ὁρχήσεως φοβερᾶς εἶδος. The lion dance, then, is *one form* of the “terrifying” dance. Athenaeus mentions the lion dance (XIV, 629 f), but says nothing of its terrifying aspect; in fact, he includes the dance among a group which he calls *γελοῖαι*! The problem, then, is this: What is a “terrifying” dance? Why is one form of it called *ποίφυγμα*? How can the lion dance be “terrifying” and “amusing” at the same time?

Let us return to Athenaeus for a moment. We find that his list of “amusing” dances includes the *μορφασμός*, the *γλαύξ*, and the *λέων*, merely named, in that order. A few lines later, after several other dances and figures have been mentioned, Athenaeus speaks of the *σκώψ* and the *σκώπευμα*—two other owl dances. He adds that the *σκώψ* is the dance figure of one shading the eyes with the hand, as if looking for something; and he quotes Aeschylus for *σκώπευμα*.

The corresponding passage in Pollux (IV, 103) contains men-

<sup>1</sup> F. A. Wright, *The Arts in Greece* (London, 1923), p. 24.

<sup>2</sup> Kurt Latte, “De Saltationibus Graecorum Capita Quinque,” *Religionsgesch. Versuche und Vorarbeiten*, XIII, 3 (1913), Caput I.

tion of the *μορφασμός*, the *σκώψ*, and the *λέων*, in that order, but with a sentence about each—to the effect that the *μορφασμός* is an imitation of animals of all kinds; that the *σκώψ* is the same as the *σκωπίας*, a form of dance imitating the owl as it twists its neck, and tries to get away from its captors; and that the *λέων* is a form of the “terrifying” dance.

The order is significant. Evidently the original source told something of the *μορφασμός*, of several owl dances, and then of the lion dance; and it may have added other “terrifying” dances and figures, perhaps including the *ποίφυγμα*.

The word *ποίφυγμα* is from *ποιφύσσω*, a reduplicated, onomatopoetic word denoting “puff, blow, snort.”<sup>3</sup> Sophron wrote a mime called “Puffing Passion”—Παιδικὰ Ποιφύξεις (Athenaeus VII, 324 f). The verb is used of the blowing of the breath upon a hot bowl (Lycophron, 198), and the noun of the wild snorting of a group of excited people (Aeschylus, *Septem*, 281). Various forms of the root are used to denote the whistling of the winds. It is used of the hissing of serpents (Nicander, *Theriaca*, 180, 371), and of the roaring of the sea against the figurehead of a ship (*Anth. Pal.*, VII, 215).

Evidently, then, *ποίφυγμα* would seem to denote a snort, a hiss, a roar, a loud cry of some sort. Its use in animal dances would be obvious. Loud animal cries always startled the ancients; witness, e. g., the devastating effect of the trumpeting of war elephants. Even more striking in this connection is the terror inspired in battle by the use of “fluted muzzles” upon war steeds, to amplify their breathing and snorting (Aeschylus, *Septem*, 463-4; frag. 181 Loeb), and to give it the quality of the piping of flutes. (The word *ποίφυγμα* is not used of this terrifying sound, as it happens, but *πνεῦμα* is.) Further, I believe that in the dance figure called *ποίφυγμα* a loud cry was probably associated with a sudden lunge at the spectators; for such lunges and cries are a feature of all primitive animal dances today—in Africa, in the South Sea Islands, among the American Indians.

It will be noted that if this interpretation of *ποίφυγμα* is correct, the figure would be appropriate to the three dances bracketed together in Athenaeus and Pollux—the *μορφασμός*, the animal

<sup>3</sup> Émile Boisacq, *Dictionnaire étymologique de la langue grecque* (Heidelberg and Paris, 1923), s. v.

dance in general; the owl dance; and the lion dance, which is specifically called "terrifying."

The owl dances are particularly interesting.<sup>4</sup> We recall that the owl is associated with things dark and mysterious and terrifying, and that the cry of some species is particularly blood-curdling. Also, the word *γλαύξ* is regarded by some linguists as a hypocoristic form of *γλαυκόπις*, and is associated by them with *γλαυκός*. Hesychius glosses *γλαυκή* as *φοβερά*, *γλαυκίων* as *φοβερὸν βλέπων*, and *γλαυκῶπις* as *φοβερὰ ἐν τῷ ὄρασθαι*. Whether the etymological connection here is or is not correct, the owl, as seen at night, with its big eyes, can be very frightening; and a "terrifying" figure in an owl dance, in which the dancer uttered an unearthly cry and "flew" at the spectators, would be quite appropriate.

Lion dances are fairly uniform, the world over; and in all of them, roars and lunges at the spectators are practically inevitable (cf. the Lion's reassuring words to his public in *Midsummer Night's Dream*, Act V, Sc. 1). We recall that one of the satyr plays of Aeschylus was called *The Lion*; it may have dealt with Heracles and the lion of Nemea. Other satyr plays which made use of the Heracles story may have touched upon the Nemean episode. In all satyr plays there was dancing; and in Aeschylus' play, at least, there must have been some form of lion dance, probably in burlesque.

Animal dancers, as seen in primitive societies today, almost invariably perform with masks. Disguised in this way, the dancer strives to enter into the nature of the sacred animal which he is portraying. Incidentally, the mask lends anonymity to the dancer, and increases the terror inspired in the audience by his ferocious dance. When the African animal dancer, a strange and fearsome creature in his great mask, rushes at the spectators, roaring, they invariably retreat, with startled cries.

The Greek animal dances were probably done with masks, also; in the drama they were certainly so performed. In early times, animal dances were solemn rituals, and the terror they inspired must have been real. As time goes on, however, and a race becomes sophisticated, such dances always become sources of

<sup>4</sup> Lillian B. Lawler, "The Dance of the Owl," *T. A. P. A.*, LXX (1939), pp. 482-502. Cf. *C. V. A.*, Robinson Coll., I, p. 57, Pl. xlviii.

amusement rather than of dread. One notes this fact particularly among the American Indians. They still watch with close attention the various animal dances of their tribe, and they still instinctively draw back as the dancer lunges and roars at them; but their cries are ejaculations of amusement as much as of alarm; and even the squeals of the children contain delight and excitement as well as fear.

In our own motion picture theaters a similar effect is sometimes produced by experimental "three-dimensional movies," in which balls that are apparently thrown straight at the spectator's eye, pieces of machinery that seem to poke at his nose, and animals that roar and leap out into the auditorium at him evoke screams of mingled anguish and amusement.

A dance figure involving lunging and a loud animal cry, then, can be *γελοῖον* and *φοβερόν* at the same time. I believe that we can with reasonable certainty restore such a figure in the animal dances of the Greeks, and identify it with what Hesychius calls *ποίφυγμα*.

LILLIAN B. LAWLER.

HUNTER COLLEGE.

---

### ARIDUM ARGENTUM IN PLAUTUS, RUDENS 726.

In the *Rudens*, when Daemones forbids the slave dealer, Labrax, to lay hands on the girls who have taken refuge at an altar, Labrax says: *tu, senex, si istas amas, huc arido argentost opus*. Obviously the phrase *aridum argentum* here means "sound money," but commentators from Nonius Marcellus<sup>1</sup> to Friedrich

<sup>1</sup> Nonius Marcellus, p. 245 M.: *aridum: purum, lucidum. Plautus in Rudente* (726): *argento arido*. Oscar Scofield Powers (*Studies in the Commercial Vocabulary of Early Latin* [Univ. of Chicago dissertation, 1940], pp. 56-57) cites also Pollux (VII, 98), who glosses *ἄργυρος καθαρός* with *διαφανής*, *Ἀρνανδικός* [cf. Herodotus, IV, 166], and Hesychius: *διαφανές· λαμπρόν, διάπυρον*. Powers also describes the tests by fire which make the application of *διαφανής* appropriate, it seems, to both silver and gold, since these metals are not subject to oxidation in the molten state. Perhaps *lucidus* as used by Nonius—a usage which has puzzled commentators—also refers primarily to the appearance of

Marx<sup>2</sup> have failed precisely to explain the development of this usage.<sup>3</sup>

The explanation perhaps is found in the use of the Greek word *νδαρής*. This word is often applied to wine adulterated with too much water.<sup>4</sup> In an inscription of the fourth century from Mytilene, it is applied also to adulterated coinage<sup>5</sup>: *ai δέ κε καταγ[ρ]έθη τὸ χρύσιον κέρναν νδαρέστε[ρ]ο[ν] θέλων, θανάτωι ζαμιώσθω.*

Although apparently no other occurrence of this usage can be cited, it may well have been known at Athens during the same general period (when the original of the *Rudens* was written). Possibly a similar metaphor was known at Rome, although Plautus used an almost entirely Greek monetary vocabulary.<sup>6</sup> Commercial terms normally have wide circulation. This inscription from Mytilene, furthermore, was an official public document

precious metal in the molten state. Compare *Corpus Glossariorum Latinorum*, II, p. 275, 26: *δαφανις* [sic]: *limpidus lucidus, specularis.*

<sup>2</sup> Marx refers to the custom of carrying coins in the mouth; but this, of course, is wholly inapposite, since it would not impair the value of the coins. Cf. Friedrich Marx, *Plautus: Rudens*, in *Abh. Sächs. Akad.*, XXXVIII, 5 (1928), commentary on line 726.

<sup>3</sup> The best discussion of earlier views along with important original contributions is to be found in Powers, *op. cit.*, pp. 57-60. Powers notes that pure silver is dryer to the touch than certain base metals, and that, in assaying coins, the ancient expert used sight, touch, smell, and hearing (ringing). He cites Epictetus, I, 20, 8-9. Although Powers shows good judgment in considering this explanation more plausible than any of the earlier suggestions, still it is by no means certain that touch alone would give rise to this Plautine usage. Touch is only a surface test, and even if "dry" was applied to pure silver—evidence is lacking—it might not have been metaphorically transferred to gold or money in general. *Argentum* in this passage in Plautus, of course, refers to money in general; later in the *Rudens* (1313-14), gold coins figure conspicuously in the treasure of Labrax.

<sup>4</sup> This usage is not infrequent in the comic fragments. See Pherecrates, 70 K.; Diphilus, 58 K., etc. (Compare Jacob's index in the edition of Meineke.)

<sup>5</sup> *I. G.*, XII, 2, no. 1, lines 13-15. Earlier Blass (*Hermes*, XIII [1878], p. 383) read *τὸ χρύσιον κέρναν τὸ ἀρέστε[ρ]ο[ν] . . .* It is obvious from the facsimile which Blass (p. 384) gives, however, that what he hesitatingly read as Ο is actually Δ. All modern editors (for instance, C. D. Buck, *Felix Solmsen*) read *νδαρέστε[ρ]ο[ν]*.

<sup>6</sup> Powers, *op. cit.*, p. 50.

(an agreement with the Phocaeans), and would presumably employ only unambiguous usages. As adulterated currency was "watered," therefore, so perhaps sound currency was "dry."<sup>7</sup>

Since the evidence is slight, however, and the metaphor natural<sup>8</sup> and widespread in modern languages,<sup>9</sup> nothing beyond a plausible possibility is thus established.

PHILIP WHALEY HARSH.

STANFORD UNIVERSITY.

<sup>7</sup> Other adjectives applied to *argentum* in Plautus include *merum* (*As.* 155: *aurum atque argentum merumst*) and *probum* (*Rud.* 1387, etc.).

<sup>8</sup> "Dry" must have had the connotation of "sound" or "honest" in certain spheres. It was the practice of dishonest wool dealers, as we learn in Aristophanes (*Frogs* 1386-87), to dampen their wool before weighing it for sale. (An amusing modern parallel is found in the practice of salting and then watering live stock before selling it by weight. Cf. Webster's *New International Dictionary of the English Language* [Springfield, Mass., 1934 <1943>], *s. v.* "water," verb, transitive, 9.) Again, as dropsical, rheumatic, and catarrhal manifestations often accompanied ill health, so *siccitas* was considered an indication of good health. (This development of usage lends some plausibility to the assumption above that "watered" currency led to "dry" currency.) On dryness as a quality of good silver, see note 3 above. Any usage in which "dry" has a good connotation might conceivably give rise to or at least facilitate the application of such a term to sound money and accounts.

<sup>9</sup> Adjectives meaning "dry" are applied to money ("cash") and accounts ("net") in Medieval Latin (*siccus*), the Romance Languages, and English. See Powers, *op. cit.*, pp. 59-60. These usages are somewhat different from that of *aridum argentum*, and there is no reason to assume any historical connection.

## REVIEWS.

HAROLD CHERNISS. Aristotle's Criticism of Plato and the Academy, Volume I. Baltimore, The Johns Hopkins Press, 1944. Pp. xxvii + 610. \$5.00.

The magnitude of the task that Professor Cherniss has undertaken is best expressed by his own words (p. xxii): "I therefore intend to outline and analyze all of Aristotle's testimony and criticism bearing upon Plato and the pupils and associates of Plato, to observe in what way he distinguishes or omits to distinguish the doctrines which he ascribes to them, to determine specifically what consistency or inconsistency there may be in his treatment of them, to compare wherever possible his testimony and interpretation with relevant passages in Plato's writings, with the fragments which remain from the writings of Plato's pupils, and with the other ancient evidence concerning their doctrines, to estimate the validity of his criticism, and to decide not merely whether his interpretations are 'right' or 'wrong' but how and why he came to adopt them and to formulate them as he did." This study is to fill two volumes. The first of these, which has now been published, testifies to the tireless energy and the penetrating insight of its author. We must wait for the second volume, which will contain, among other things, a conclusion integrating the entire study (p. xxv), before we can judge the whole; but it is already apparent that this monumental work will rank high among the products of American classical scholarship.

Cherniss' method, as he states in the "Foreword" (p. xxiii), is that which he followed in his *Aristotle's Criticism of Presocratic Philosophy* (Baltimore, 1935). The far greater complexity of the present undertaking, however, multiplied its difficulties. It was necessary, for example, to interpret many difficult passages from both Aristotle's and Plato's writings, and to take into account the tremendous body of scholarly studies that deal with Aristotle and Plato. In addition, there were many detailed philological problems, of textual criticism, syntax, or usage, which were often crucial to his exposition. Cherniss has been highly successful in arranging and presenting this great mass of material. He has managed to discuss every problem he considers important, yet at the same time, by a generous use of footnotes and appendices, he has preserved an intelligible and coherent organization.

The first volume contains only three chapters, each of which is concerned with a major philosophical topic. The first chapter, entitled "Diaeresis, Definition, and Demonstration" (pp. 1-82), deals with Aristotle's criticisms of Plato's logic and epistemology. It establishes certain tendencies of Aristotle's critical method, for example, his analysis of Plato's philosophy in terms of his own doctrine of form and matter (cf. pp. 80-81). Chapter II, entitled "The Material Substrate" (pp. 83-173), points out how Aristotle's attempt to apply his own conception of matter to Plato's philosophy led him to misinterpret the *Timaeus* and the *Philebus*. Chapter III,

"Form and its Relation to Matter" (pp. 174-478) takes up Aristotle's criticisms of the relation of ideas to particulars. This chapter comprises the bulk of the first volume; and, like the preceding chapters, it charges Aristotle with many misinterpretations and inconsistencies in his attacks on Plato. Finally (pp. 479-610) there are eleven appendices, each of which amplifies the discussion of a problem that had arisen in the main body of the work. Appendix II, for instance, criticizes Jaeger's interpretation of the significance of the first person plural for the chronology of *Metaphysics A*; Appendix VIII takes up the motion of the heavenly bodies; and Appendix XI the demiurge.

Cherniss' systematic study will be invaluable to all who are concerned with the problems he discusses. But of course it is not to be expected that all his interpretations of Plato and Aristotle will gain universal acceptance. I have no intention of dwelling on the differences between his views and my own; it is enough that he has indicated in a footnote his objections to my interpretation of Plato. Rather, I should like to point out certain features of his analysis which seem to be of fundamental significance.

In the first place he correlates Aristotle's criticisms of Plato with the extant Platonic writings, whenever it is at all possible to do so; and he seldom resorts to the "easy" device of saying that Aristotle is referring to some doctrine that Plato taught in the school, perhaps, but did not commit to writing. When faced with a discrepancy between the doctrines ascribed to Plato by Aristotle and the statements actually found in Plato's dialogues, Cherniss seeks for, and usually finds, an explanation of the discrepancy. An excellent example of his procedure in this respect may be found in his discussion of the well-known passage in *Metaphysics* 1070 A 18-19 (pp. 244 ff.): *διὸ οὐ κακῶς ὁ Πλάτων ἔφη ὅτι εἴδη ἔστω ὄπόσα φύσει* (Bekker's text reads: *διὸ δὴ . . . ἔστιν . . .*). This statement is usually taken to imply that "Plato denied the existence of ideas of artefacts"; but it is common knowledge that Plato posits ideas of artefacts in the dialogues. Cherniss' resolution of this difficulty turns on the meaning of *φύσει*. For Aristotle there is a rather sharp antithesis between *τὰ φύσει* and *τὰ κατὰ τέχνην*. Consequently, Aristotle supposes that Plato, in correlating the ideas with *τὰ φύσει*, intends to exclude ideas of artefacts. But Plato himself did not contrast *φύσις* and *τέχνη* to the extent that Aristotle did; on the contrary, through his doctrine of a divine artificer he assimilated *φύσις* to *τέχνη*. Plato is probably referring here to ideas as corresponding to "natural distinctions" of things that exist objectively, in contrast to non-existing inventions of the arts, such as the chimaera or hippocentaur (pp. 252-4). Hence Aristotle misapplied Plato's statement when he interpreted it in terms of his own distinction between *φύσις* and *τέχνη*.

Cherniss finds many more instances where Aristotle's tendency to project upon Plato his own philosophical concepts has led to a misunderstanding of Plato's words. "His [i. e. Aristotle's] treatment of diaeresis presupposes his own theory of the relation of genus to differentia as that of matter to form" (p. 41; cf. 50-51). He attempts "to reduce the Platonic theory of reminiscence to his own doctrine of the recognition of the universal in the particular"

(p. 71). "Aristotle assumes without question his own theory of absolute directions and absolute weight and lightness which Plato expressly denied . . . and which therefore cannot be used as a means to criticize the particular figures of the corpuscles" (p. 157). "Aristotle's assumptions of absolute position and natural motion . . . nullify his arguments against Plato's theory of relative weight" (p. 165). Aristotle tends "to interpret the theory of ideas from the point of view of his own conception of substance" (p. 220). This last statement is particularly important in Cherniss' analysis of Aristotle's criticism of the ideas. He points out that, "Aristotle considers the Platonic ideas to have all the characteristics of their sensible replicas" (p. 203). On this basis Aristotle denies the possibility of *χωρισμός*. The "third man" argument against the ideas also rests on the assumption that ideas are in some sense homogeneous with particulars (cf. pp. 297-8).

Not only does Aristotle frequently misunderstand and misrepresent the Platonic teaching (cf. pp. 405, 410, 476); he even falls into inconsistency on numerous occasions. For example, he rejects the Platonic ideas on the ground that the ideas are universals, and no universal can be a substance (p. 318); yet at the same time he maintains that "only the essential form exempt from matter is completely determinate, individual, and real" (p. 353). "In short, Aristotle's perfect substance exhibits the very characteristics which he contends prevent the ideas from being substantial entities" (p. 364). Other examples of Aristotle's inconsistency are mentioned on pages 53, 86, and 193.

The general impression one derives from Cherniss' analysis is that Aristotle's criticisms of Plato fall wide of their mark. In order to charge that Aristotle misinterpreted Plato on many points, it is of course necessary for Cherniss not only to refer Aristotle's statements to specific passages in Plato but also to make a "correct" interpretation of these passages which Aristotle misunderstood. Accordingly, much of the volume is devoted to an interpretation of Plato's philosophy. In Chapter II on the material substrate, for example, Cherniss finds it necessary to explain several passages of the *Timaeus*, in order to show how Aristotle misconstrued them. In regard to the "separation" of ideas from particulars, however, Cherniss agrees with Aristotle in opposition to certain modern critics. He cites a number of passages from the dialogues in which, he maintains, the separate existence of the ideas is explicitly stated (pp. 209-10). Plato's attitude toward the "third man" argument is also explained at length (pp. 292-8); and Aristotle is chided for having used the "third man" argument as a refutation of the ideas, without taking into account Plato's answer to this argument. Even more extensive is the interpretation of Plato's view of the soul as a cause of motion, and the relation of the soul to the idea of motion (cf. pp. 423-54 and Appendix XI, which are almost exclusively concerned with Plato). Here Cherniss makes a substantial contribution to Platonic scholarship, rejecting not only Aristotle's interpretation but many modern interpretations as well. He maintains that "the causality of the ideas and that of the soul" are "complementary factors in the full account" (p. 451), and he finds no evidence that Plato's attitude on this problem ever changed, or that it involved any inconsistency.

In setting up his unitary interpretation of Plato's views Cherniss of course avails himself of the presuppositions that most Platonic commentators (including Aristotle) find indispensable. He assumes that the dialogues express Plato's beliefs, and that a comparison of the dialogues makes possible a more or less systematic reconstruction of these beliefs. When confronted with the obvious fact that the dialogues are not in all respects entirely consistent, he resorts to the distinction between literal and figurative statements. Statements that violate the basic principles of Plato's thought are to be taken figuratively, whereas those that express integral parts of his thought must be accepted literally. Thus Plato's statements of the "separateness" of the ideas must be taken literally, as Aristotle and Speusippus testify, whereas the account of creation in the *Timaeus* is to be taken metaphorically, as Speusippus maintained in opposition to Aristotle, who took it literally (pp. 208-9; cf. 406 ff.). Among the reasons why the account of creation in the *Timaeus* must be "understood as a mythical form of expression" Cherniss emphasizes particularly the fact that if it were taken literally it would be inconsistent with some of Plato's known beliefs (pp. 430-1). In still another instance, Aristotle attached no significance to Plato's demiurge, whereas Cherniss regards the demiurge as one of the cornerstones of Plato's philosophy (pp. 609-10).

The members of the Academy other than Plato come in for their full share of attention in Cherniss' work. But, as the references to them are scattered and comparatively brief, I have not undertaken to discuss them. Undoubtedly Cherniss will summarize in Volume II the results of his study of Aristotle's remarks about them.

Since Cherniss' study must necessarily rest in large measure on his answers to a number of controversial questions, and since he not only gives an account of Aristotle's criticism of Plato but also undertakes to pass judgment on their differences (giving, in most cases, the palm to Plato), it can hardly be expected that his decisions will be accepted without protest. But, even if he does not solve definitively the difficult problems involved in Aristotle's criticism of Plato, he does present a comprehensive and coherent analysis, and he offers to the reader a tremendous collection of relevant materials.

PHILLIP DELACY.

THE UNIVERSITY OF CHICAGO.

---

Plato *Arabus*, Volume II:<sup>1</sup> Alfarabius, *De Platonis Philosophia*, ediderunt FRANCISCUS ROSENTHAL et RICHARDUS WALZER. London, Warburg Institute, 1943. Pp. xxii + 30 + 24 (Arabic Text). 18 s. (*Corpus Platonicum Medii Aevi*.)

The Arabic text published in this handsome little volume will be welcomed by students of the history of ideas, particularly such as are

<sup>1</sup> A publisher's notice, accompanying the present volume, reads: "Plato *Arabus*, vol. I, *Galeni Compendium Timaei Platonis* is being printed in Beirut. It is regretted that it has therefore not been possible to publish it before the present volume."

interested in medieval Platonism and in the philosophical works of Jews and Muslims during the middle ages. In 1869 the great bibliographer, M. Steinschneider, suggested that Šēm-Tōb ben Yōsēp ibn Falaguera's Hebrew summary of Plato's philosophy, included in the work titled *Rešit Hokmāh*, was drawn from Alfārābī's "lost" Arabic treatise on the subject. The Arabic original having turned up in a codex discovered by H. Ritter in Constantinople's Aya Sofya, Professors Rosenthal and Walzer have now published it along with their Latin translation, a preface, and notes.

The Arabic text, based on this single MS and Šēm-Tōb's Hebrew epitome, is as good as one could well expect in the circumstances; as the editors acknowledge, the text might have been far more uncertain but for the skilled corrections of the late Paul Kraus, who first transcribed it. While the reviewer would render a number of passages somewhat differently,<sup>2</sup> the Latin translation is by and large faithful to the sense of the text. The notes provide a mass of illustrative material from Greek and Latin sources.

In their preface, however, the editors advance a thesis which seems more than dubious to this reviewer. They believe that this treatise is Alfārābī's adaptation of an Arabic version of a Syriae translation of a Greek introduction to the Platonic *Corpus*; and, while admitting that they cannot identify the author of the Greek source with certainty, they nominate Theon of Smyrna as the most likely candidate. Theon is cited by Arab bibliographers as the author of a work entitled *On the Order of Reading Plato and on the Titles of the Books which he Wrote*, while Alfārābī's treatise now bears the superscription, *The Philosophy of Plato and its Parts and the Ordering of its Parts from its Beginning unto its End*. But, as Steinschneider has pointed out,<sup>3</sup> the order of studying an author is not to be confused with the order in which his works are held to have been written. Steinschneider goes on to say:<sup>4</sup> "Theon scheint die Schriften Plato's in eigentliche Werke, von denen er zwei nennt, und in Dialoge (25) einzuteilen"; there is no such distinction in Alfārābī's treatise.

The editors' search for Alfārābī's *single*, ultimate Greek source and their discussion of its characteristics proceed only from their assumption that there must have been one: "Quin Alfarabio auctoris alicuius Graeci liber introductorius ad manum fuerit, non est quod dubitemus." But this assumption seems gratuitous in view of the

<sup>2</sup> E. g., p. 14, lines 4-7 (Arabic text), which the editors render: "Deinde investigavit qualem esse oporteret hominem qui philosophus vel politicus futurus et aliquid honesti (i. e. virtutem) impetraturus esset; oportere scilicet eum unicuique earum rerum quas peteret valde deditum esse nihil aliud in animo habentem eiusque rei cupiditate affectum." A nearly literal translation of this Arabic passage is: "Then he carefully considered how, necessarily, the man must be who is determined to become a philosopher or a statesman and to attain anything of things excellent; and (he said) that he must necessarily be what is required of such a (lit.: that) one, (namely,) master of himself, caring for nothing else, and that he should indeed have already passionately desired it."

<sup>3</sup> *Die arabischen Uebersetzungen aus dem Griechischen, Beiheft zum Centralblatt fuer Bibliothekswesen*, XII (Leipzig, 1893), § 8 (32).

<sup>4</sup> *Ibid.*, § 9 (33).

lack of real evidence to substantiate it. A more obvious hypothesis, yet one which has apparently not occurred to the editors, is that Alfārābī might have composed his treatise on the basis of *various* Platonic materials available to him in Arabic. In the first place, why could he not have used the Arabic translations of some of the dialogues themselves, among them the *Republic*, *Laws*, *Timaeus*, and *Sophist*, to mention only those whose translators and whose approximate dates are known?<sup>5</sup> Secondly, he might have consulted some of Galen's synopses of the dialogues. Ḥunain ibn Iṣhāq (809-873 or 877 A. D.), the great translator, in his epistle to 'Alī ibn Yaḥyā on the translations of Galen's works,<sup>6</sup> says that he found four books of Galen's Πλατωνικῶν διαλόγων συνόψεως ή', the first three of which he translated into Arabic; an Arabic note on the passage says that 'Isā ibn Yaḥyā translated all four. The first part contained summaries of the *Cratylus*, *Sophist*, *Politicus*, *Parmenides*, *Euthydemus*; the second part summarized the first four books of the *Republic*; the third dealt with the rest of the *Republic* and with the *Timaeus*; while the fourth treated the twelve books on "ways-of-life," i. e. *Laws*. Finally, in addition to Theon's work, Alfārābī might have made use of Ḥunain ibn Iṣhāq's introduction to Plato, entitled *That which Ought to be Read before Plato's Works*.<sup>7</sup>

The editors' assumption of a Syriac translation of Alfārābī's supposed Greek source has even less foundation in fact. They state that certain proper names and the titles of several dialogues could have found their way into Alfārābī's treatise only from a Syriac context or from Syriac notes in the margin of the Syriac version; and they attribute the glosses by which such names as *Protagoras*, *Gorgias*, and *Laches* are explained for the benefit of the Arabic reader to an ignorant Syriac glossator. Their "evidence" is confined to the fact that the Greek letter  $\epsilon$ , in such names as Θεαίτητος, Μένων, Μενέξενος, is rendered by the Arabic letter *alif*, "quod orthographiae Syriacae proprium esse constat"; and to an attempt to prove Syriac provenience for the glosses. Now it would be hard to find another Arabic letter than *alif* by which  $\epsilon$  could be rendered, if it is to be rendered at all, so that this rendering is at least as "proprium" to Arabic orthography as to Syriac; again, even if the Arabic spelling of these names could be shown to rest upon Syriac orthography, it would no more constitute evidence for a Syriac version than a spelling "Socrates" in an English book would constitute evidence that the book had once appeared in Latin. The editors' claim of Syriac provenience for the gloss on the name *Protagoras* rests on their misvocalization of one of the unvocalized Arabic words by which the glossator tried to explain the name: "Ifrūṭūgārus—the meaning of which is *h'ml 'l-lbn*." The editors vocalize these words *hāmilu 'l-labini* (also: *libni*, *libini*); thus, according to them, the gloss reads: "Protagoras—the meaning of which is 'one who carries bricks'." The ignorant Syriac glossator, say the editors, took "Protagoras" to be composed of the Greek

<sup>5</sup> Cf. Carra de Vaux in *Encyclopedia of Islam*, s. v. "Aflātūn."

<sup>6</sup> G. Bergstraesser, *Ḥunain ibn Iṣhāq ueber die Syrischen und Arabischen Galen-Uebersetzungen* (Leipzig, 1925), pp. 50-51, Arabic text.

<sup>7</sup> *Encyclopedia of Islam*, *ibid.*

φερειν φορτ- + the Syriac (< Akkadian *agurru*) *āgurrē* = "bricks"; hence the Syriac provenience of the gloss; hence the existence of a Syriac version. The whole argument falls apart, however (aside from the inherent improbability that anybody, no matter how "in-dootus," would try to explain what he knew to be a *Greek* word on the basis of a *Syriac* homophone), when we realize that the editors should not have vocalized *labini* = "bricks," but *labani* = "milk." There is no need to conjure up a Syriac word: the glossator thought "Protagoras" was from *φορτηγός* = "one who carries" + *όρος* = "milk-whey," explaining a *Greek* name from *Greek* words. The Arabic gloss on *Gorgias* reads *'al-hidmatu* which the editors render "servitium"; here they assume that the unlearned Syriac glossator, reading *γεωργίας* for *Γοργίας* in some Greek-Syriac lexicon, wrote a Syriac word *pulhānā* or *pahūtā* = both "agriculture" and "service," which the Arabic translator chose to render in the meaning "service"; hence Syriac provenience and a Syriac version. But surely use of a Greek-Syriac lexicon does not prove the existence of a Syriac version, for the glossator may have done his work after Alfārābī wrote his treatise, not before, and his lexicon may have included Arabic as well as Syriac explanations of Greek terms. Indeed, Bar Bahlūl's lexicon, which Professors Walzer and Rosenthal cite in this very connection, was not merely Greek-Syriac, but Greek-Syriac-Arabic, as was Yešū' bar 'Alī's glossary. The editors "explain" the Arabic gloss on *Laches*, which they render "Laches: id est lectus," by stating that the Syriac glossator confused *Λάχης* and *λέχος*. The objection to their inference from the gloss on *Gorgias* applies also to the gloss on *Laches*. In addition, *tamhīdūn*, which they translate "bed" (hence *λέχος*), generally does not bear this meaning; if the glossator had wished to use a form of this Arabic root in the meaning "bed," he would have written *māhdūn* or *mīhādūn*, not *tamhīdūn*. Since, however, *tamhīdūn* does mean "arrangement, administration, allotment, assignment," it is not improbable that the glossator identified *Λάχης* with *λάχος* = "an allotted portion, an appointed office."

From what has been said, therefore, the editors' thesis that Alfārābī's treatise is his adaptation of an Arabic version of a Syriac version of a Greek introduction to Plato's writings is in reality nothing more than a somewhat labored construction of their scholarly imaginations.

ISAAC RABINOWITZ.

HILLEL FOUNDATION, PHILADELPHIA, PA.

---

EVELYN HOLST CLIFT. Latin *Pseudepigrapha*: A Study in Literary Attributions. Baltimore, 1945. Pp. 158.

Dr. Clift's book is primarily a study of Latin works of doubtful authorship; she examines carefully the following classes of pseud-epigraphical literature: thirty-four plays attributed in antiquity to Plautus, prose writings of the Republican period, and poetical works of the Augustan Age. Her discussion of these three groups is preceded by a chapter on "Libraries and Literary Interests in

the Roman World" (pp. 5-39); this chapter, which covers a period from earliest times to the fifth century of our era, not only is extremely interesting and significant but is basic to the author's thesis. Dr. Clift argues that both the stylistic and the historical approach to the question of authorship have failed to be decisive; authors might vary their style to conform to the subject-matter, and any competent forger would be reasonably accurate in the matter of historical detail. So the author turns to another criterion, "the literary and cultural interests of the Romans at these times, their methods and extent of publication, and their library facilities, both public and private, for the preservation of books" (p. 2). In her treatment of these topics she shows that there was a continuous development in literary interests from the pre-Ciceronian period to the Augustan age when three state libraries were established. By Cicero's time well-stocked libraries were numerous, and in the early Empire the corpus of Latin literature was available in many public libraries.

The application of Roman literary interests and library facilities to the problems of pseudepigraphical literature is least profitable in the case of the plays ascribed to Plautus, since the comedies fall in the early period, before the establishment of public libraries. The conclusions concerning Plautus must therefore be extremely uncertain, as the author admits more than once.<sup>1</sup> The discussion of the activity of Plautine scholars from Accius and Varro down through the Empire to and including Priscian seems particularly satisfactory. She rejects (pp. 68 ff.) Leo's theory that the texts of Plautus disappeared from Rome in the early part of the first century and that interest in Plautine studies was revived through the influence of Probus. The evaluation of the evidence of the ancient authorities leads to the conclusion that of the thirty-four plays ascribed to Plautus in antiquity (in addition to the twenty-one "Varronian" plays) fourteen may be accepted as probable; among these are the *Anus*, *Commorientes*, *Colax*, *Condalium*, *Faeneratrix*, and *Frivolaria*, which are attested as genuine by early writers, such as Terence, Accius, Aelius Stilo, or Aurelius Opillus. Thirteen other plays (including the *Saturnio* and *Addictus*) are considered as possibly Plautine; the rest are listed as doubtful or definitely spurious.

The prose writings of the Republic concerning which there is doubt are chiefly orations and letters. Dr. Clift accepts as authentic the following speeches: Appius Claudius Caecus against Pyrrhus, Scipio Africanus against Naevius, Tiberius Gracchus on behalf of Lucius Scipio, Hortensius for Verres, Antonius against Cicero, and Sallust against Cicero, as well as the following letters: Cornelia to her son Gaius, Quintus Cicero's *Commentariolum Petitionis*, Sallust's *Ad Caesarem Senem de Republica* I and II, Brutus to Cicero and Atticus. Others are rejected, e. g. the speech *In Sallustium* and the letters to Octavian ascribed to Cicero. Dr. Clift's method and the application of her theory to the problems involved in these works may be seen in the following statement: "Much of the work that has here been accepted must have been firmly established in the libraries at the close of the Republican period to account for its

<sup>1</sup> Cf. pp. 3, 40, 76 f., 151.

transmission to a later age and for the references to much of it in later authors who had access to these libraries" (p. 122). In the chapter on Augustan "Pseudepigrapha" most of the poems of the *Vergilian Appendix* are accepted as genuine,<sup>2</sup> as are certain of Ovid's poems (*Heroides*, Sappho to Phaon and the double letters) and the *Nux*, but not the *Consolation to Livia* which, along with the *Elegies to Maecenas*, was "probably the work of some minor poet, under the influence of Ovid's style" (p. 139). The author views lines 1-8 of Horace, *Sat.* I, 10 as an original beginning which was deleted in the collected edition of the *Satires*. A consideration of the Tibullian corpus leads to the conclusion that only the first two books are genuine.

In reviewing the pseudepigraphical literature of the late Republic and early Empire, Dr. Clift in most instances examines carefully the stylistic and historical arguments which have been advanced to prove or disprove the authenticity of a given work. Her own theory, that "the establishment of state libraries was a strong influence in counteracting pseudepigraphical literature,"<sup>3</sup> is stressed again and again, and frequently we find statements such as "the works of older authors . . . were certainly in the libraries."<sup>4</sup> The arguments at times seem somewhat hypothetical, but the author is fully cognizant of the difficulties and uncertainties of her subject. Dr. Clift has produced a work that is thorough and scholarly in every respect. A few minor points are open to criticism: p. 42: the *Casina* is given (correctly, I believe) as the revival title, but on p. 43, n. 4 we read that the *Casina* "was revived under the title of *Sortientes*"; p. 51, n. 24: the *Cistellaria* is wrongly described as having no prologue; see Act I, Scene III for the prologue spoken by *Auxilium*, deferred as in the *Miles Gloriosus*; furthermore, the *Cistellaria* does not have a double title,<sup>5</sup> nor can we be sure, since the beginning of the play is lost, that the *Bacchides* originally lacked a prologue. It seems somewhat unfortunate that Dr. Clift does not devote more time to a discussion of the individual poems in the *Vergilian Appendix*; referring to the work of DeWitt, Frank, Rand, and Rostagni, she says that most of the poems "are now considered authentic" (p. 124) and explains their transmission "on the grounds of deferred publication and the partial fulfilment of the author's personal wishes" (p. 128). Although the reviewer agrees in general with Dr. Clift, some Vergilian scholars are more cautious in their acceptance of the poems; e. g. Knight says: "Many of these poems were written during Vergil's early years, whoever actually

<sup>2</sup> The following are definitely spurious: *De Viro Bono, Est et Non, De Rosis Nascentibus*, and the *Elegies to Maecenas*; the appearance of these poems in the *Appendix* "may perhaps be explained by the tendency of mediaeval scribes to fill up the blank end pages of a manuscript" (p. 125, n. 7).

<sup>3</sup> P. 128; cf. pp. 150, 153.

<sup>4</sup> P. 69; cf. p. 85: "Many old orations must have turned up in the course of Varro's researches"; see also pp. 73, 100, 135.

<sup>5</sup> The citations of Festus to line 408 of the *Cistellaria* led to the erroneous belief that *Syra* or *Syrus* was an alternate title; we now know that Festus was referring to the title of the Greek original, Menander's *Συναποτρώσαι*; cf. G. E. Duckworth, "The Unnamed Characters in the Plays of Plautus," *Class. Phil.*, XXXIII (1938), p. 276.

wrote them. If they were known to be authentic, they could throw much light on the story of his early life, and on his mental and artistic development. But not one is certainly by Vergil."<sup>6</sup>

In an original, shorter form this book was written as a dissertation under the guidance of the late Professor Tenney Frank and presented to the Johns Hopkins University. Dr. Clift has produced a study which bears eloquent testimony to the breadth and depth of Professor Frank's scholarly interests. Ranging over a wide field the author has brought to a series of difficult problems in Republican and Augustan literature a new and stimulating approach, which, even if it has not replaced earlier stylistic and historical method, must henceforth be considered integral to any discussion of the authenticity of a particular work. The author's final conclusion (p. 153) is stated with modesty and conviction:

Although the history of Latin "pseudepigrapha" necessarily involves many "probabilities" and "possibilities," it can be said without hesitation that the gradual development of literary interests in Rome, the tremendous activity in writing, reading, publishing, and collecting books in the Republican period which reached its natural goal in a state library system, planned by Caesar, partially executed by Varro, and completed by their successors, directly influenced the nature and quantity of "pseudepigraphical" literature in Rome; and consideration of these factors in Roman literary history offers the most logical and historical basis for judgments concerning the authorship of any works of doubtful authenticity in Latin.

GEORGE E. DUCKWORTH.

PRINCETON UNIVERSITY.

---

ELINOR MULLETT HUSSelman, ARTHUR E. R. BOAK, and WILLIAM F. EDGERTON, editors. *Papyri from Tebtunis, Part II (Michigan Papyri, Vol. V).* Ann Arbor, Univ. of Michigan Press, 1944. Pp. xx + 446; 6 pls.; 1 text fig. \$5.00. (*Univ. of Michigan Studies, Humanistic Series, XXIX.*)

No ancient site, not even excepting Oxyrhynchus with its wealth of literary texts, has yielded such material for the historian of Greco-Roman Egypt as Tebtunis. Situated at the desert's edge in the southern part of the Fayum, it was equally populous in antiquity and remote today, and its hundreds of substantial texts were preserved for the mattock of the random digger or the spade of the excavator. The archives of the registry and other state offices, in particular, seem to have been recovered almost intact for certain periods, and the first Christian century, or more precisely the period of the Julio-Claudian emperors, is represented by a wealth of documents which only await the vision of an able social historian to give us an intimate

<sup>6</sup> W. F. Jackson Knight, *Roman Vergil* (London, 1944), p. 42; cf. pp. 58, 61.

and detailed picture of the community. The grapheion texts, except for a few which were acquired by King Fuad I and published by the Italian Society of Papyrology, were bought by Professor Kelsey for the University of Michigan in the early twenties of this century. Two parts of them have now been published, and the third part is the most fragmentary, the most difficult, and the least rewarding.

Appraisal of the social life of the community is not easy. One is bothered, first of all, in the attempt to disentangle people by the number of persons bearing the same name, and the number of ways in which the same name can be spelled. The editors have put together four families in the Introduction, Section V; one of them is known through four generations. In this group, which was wealthy, there was no race-suicide. Lysimachus the son of Didymus had six children whom we can identify, five of them sons. Eutychus had five sons also, with no daughters known. Heraclides the Younger, son of Maron, had six sons and two daughters. There is no evidence to indicate whether other daughters were not reared, but even in the last case we cannot be entirely sure that we know the whole family. No. 326 is a division of the family property effected in A. D. 48, after the death of the father. One of the sons was dead. A daughter, Arsinoe, had been taken care of by a dowry settlement eleven years before and had released all claims to anything else (no. 350). The remaining six children, five sons and a daughter, divided up the estate on the usual basis of even shares to all, and a double share to the eldest. One son was dead without issue. There may have been other daughters, disposed of as was Arsinoe earlier.

The property to be divided, which may be taken as representative of a prosperous village family, consisted of 107 arourae of catoecic land, two vineyards aggregating almost six arourae, and 18 slaves. No mention is made of houses or other forms of property. Probably these had been disposed of already by gifts to members of the family. What they might have been we can see from no. 322, a division of property in the priestly family of Psyphis. In addition to land, sacred and profane, with water and fishing rights, sheds and warehouses, and several pastophoria or chapels, the family disposed of no less than five houses in various places, complete with furniture, personal effects, and cattle. While the society was sufficiently bourgeois, it was not poor.

Greek and Egyptian elements are entirely mixed, though not always in the same family. That of Maron and Arsinoe contained only Greek names; but double names occur, and a mixture is common, not on any single pattern. Sons as well as daughters may bear Egyptian names. Frequently two children in the same family will bear the same name. Lysimachus son of Didymus had two sons named Didymus, Heraclides the Younger two named Heraclides. Brother and sister marriage is common, whether to preserve estates intact or for other reasons. Didymus the Younger, son of Lysimachus, was married to his full sister Hero, and to her he cedes, in no. 262, ten arourae of land in return for some money received previously and certain items of jewelry evaluated at that time. As wives in Egyptian law could and often did own property of their own, he may have borrowed from her, or he may merely have made use of certain parts of her dowry, which he was legally obliged to replace.

How much Hellenism there was in the community is not clear. Tebtunis has never been a large producer of literary texts. (The great Callimachus catalogue is almost a unique exception.) The Macedonian months continue to be used, in the full, formal style of dating, and in the Egyptian calendar, Sebastos has replaced Thoth, and Neos Sebastos Hathyr, while Roman oddments like Germaniceius (Pachons), Drusilleus (Pauni), and Soter (Phaophi) occur sporadically. As to literacy, that was not high. Most contractants require someone to write for them, and the confusion of spelling among amateur and professional scribes reminds one of that in modern Greece. In addition to those peculiarities listed by the editors in Section IV of the Introduction, one lists more. Sometimes a little ingenuity is required to think of the word intended (cf. *γίδωνος* = *γειτονες*, no. 282, 4). Many errors are due to false analogy or incorrect pronunciation, such as the common confusion of E and O, especially in verb endings (e. g. *ξέπεσον* for *-σειν*, no. 230, 19; but cf. *ἡμένον*, no. 229, 16, where the confusion occurs under the accent). The same must account for the writing of AI for A, as in no. 258, 10, etc., of *τῶς* for *τῶν* (no. 282, 9), *θέρ* for *χείρ* (no. 276, 33), for great confusion in the case endings, and for neologisms like *μήπωι* for *μηδενί* (no. 294, 9). The editors list twelve variant spellings of the common form *εἰδνίας*, no one of them correct.

The edition has that standard of excellence which we take for granted in publications of this series. Professor Edgerton is one of the ablest living Demotists, Professor Boak a competent and experienced editor, and Mrs. Husselman, together with Professor Youtie, whose advice and assistance they all enjoyed, a guarantee of reading and soundness of interpretation. The form is the usual one. Each text is preceded by a description and general comment, and followed by notes on the readings and translation. General matters are discussed in a substantial Introduction, and the full and exact Indices mask by their perfection the labor they represent. To search for errors is an impertinence and a waste of time. In a very few cases only can I suggest alternative readings. The reader may use the book with full confidence in the evidence it presents.

Two general points of criticism may be raised, neither important and one of them, at least, not within the plan of the editors. It is always a question, in publishing texts, how much to say by way of elucidation. In an extreme case, a small document may require presentation in the form of a substantial book. The editor of a group of texts, however, cannot indulge himself in this from considerations of time and space. Boak has discussed elsewhere the most unusual of these papyri, those containing the statutes of various clubs and associations. They are presented here with an abstract of that discussion. Otherwise, the texts are presented substantially without commentary. Their many problems are left for others to treat.

The matter of translation is different, and raises, perhaps, the question, why translate at all? A translation is, in a way, a commentary. You must make up your mind what a text means if you are going to render it in another language. A translation is also a kind of check for the editor. If your text does not render itself, there must be something wrong with it, or your understanding of it. In these respects, the translation is merely something to be read in connection with the text. You read that, and if you do not know

what it means, consult the translation. But there is a wider utility of translations, properly done. The texts may and should interest those who do not know Greek. For them, the translation must be intelligible apart from the original, must be clear in the language of the editor. This duty, to translate adequately for the modern economist or sociologist or historian, is more of an art, and it cannot be claimed that this edition is more completely successful than some of its contemporaries. One does not ask for style, but for idiomatic lucidity, especially in legal documents, and you cannot be literal. Such a phrase as this would not be very enlightening to a modern lawyer, and, if given at all, should be printed in quotes: "And I have received from P. the entire price agreed upon, in full, immediately, from hand to hand, out of the house, and I guarantee the sale with every guarantee from both public and private debts and every claim forever as aforesaid."

The difficulty is greater when it is a question, not of Greek texts, which some may read, but of Demotic, which most of us cannot. Possibly the solution would be to print two translations, a literal one to show what the Demotic said, and a paraphrase to show what it meant. What, for example, is a "woman of endowment" (no. 250)? What is meant by the expression in no. 253: "Yours is every writing which has been made concerning them"? If this is *traditio chartae*, one should not really be left to guess.

The pattern of the texts is interesting, for it clearly represents what the registrar Cronio had in his pigeonholes at the end of a certain period. What he wrote, we know. I have tabulated the products of the first four months of the year A. D. 46 as they are systematically recorded in the register no. 238. This is probably the typical business activity of that season, and the common contracts are the recurring and the ephemeral. These are, if my tabulation is correct:

Leases	48	(particularly common, no doubt, at the beginning of the calendar year)
loans	38	
deposits	28	
payments	23	
receipts	21	
rentals	17	

More enduring transactions are less common:

sales of animals	11
sales of land	3
cessions of various sorts	11
service contracts ( <i>παραμονή</i> )	10
alimentary contracts for slaves	9
divisions of property	5
mortgages, etc.	3
marriages and dowry arrangements	6
quit-claim deeds ( <i>εὐδοκήσεις</i> )	3
guarantees (to the registrar)	2

With due allowance for seasonal variations in the traffic, this may be thought to be the normal production of legal instruments in the village. What Cronio had on hand, however, was quite different.

Only one type is common, sales and other transfers of land (56). Next comes mutual distribution of property (11). Loans and receipts number nine each, and of leases there are only seven, although the documents range over a considerable period of time. Other miscellaneous types of contracts are poorly represented, but there are seven petitions to officials, and six statutes of clubs or business associations. In other words, what the registrar wrote represented the normal business life of the community. What he preserved were the documents of relatively permanent value.

This is obvious enough, and entirely natural. Its interest comes from its bearing on a problem which the editors discuss in the Introduction. That is, the presence in the archives of many of the so-called "subscriptions." Documentary practice of the day called for an objectively phrased statement of the obligation as the essential part of a contract, followed by an acknowledgment on the part of each of the contracting parties that he understood the obligation and accepted it. These acknowledgments were expressed in the first person, and were written by the parties themselves, or by someone at their request. They are normally short. For details, the contract itself was to be consulted. In this collection, however, the acknowledgments are long and full, duplicates occur frequently, and in seventy-one instances the body of the contract does not occur at all, although a space was left for it. The phenomenon does not occur elsewhere, except in a handful of isolated cases, and it is to be explained, if at all, by the logic of the case. I am inclined to accept the editors' view that these "subscriptions" were drawn up at one time by a single writer (duplicates are in the same hands), at the time the parties presented themselves at the registry, and contained all the pertinent details. The "signalments" (personal descriptions) of the parties were then added on a convenient margin, and the date was noted. At a later time, the actual contract could be carefully written in by Cronio or an assistant in the space left blank for it, on one copy only. The "signalments" and other working notes could then be snipped off, and the completed document attached to the *τόμος συγκολλήσιμος*. The parties might then, if they wished, pick up as evidence the extra copies of the "subscriptions" prepared for them. The reason that copies remained in the archives was that the parties did not always wish them. That is quite possible, though, in view of the cost of papyrus and of writing, I do not feel that it can be the whole story.

It is an old observation in "papyrological law" that a credit sale was handled as a double transaction, sale and loan. It is equally well known that a sale might be made conditional on the non-repayment of a loan. If the loan was not repaid, the sale stood, but the seller had the option of redeeming his property by a certain time if he could and would. This type of transaction, whatever it may have been called (*ώνη ἐν πιστει*, "sale in the form of a pledge," fits better than *ώνη ἐπὶ λύσει*, "sale subject to redemption"), is sufficiently well represented in the archive to let us see something of its nature. Nos. 328-330, 332, and 335 consist of two documents written in parallel columns on the same sheet. The first runs as follows (quoting no. 332): "I, 'A,' acknowledge by this instrument the sale to 'B' of such-and-such property. I have received from 'B' the

entire price agreed upon in cash, and I fully guarantee title through the month of Pharmouthi of the coming 9th year of Tiberius. My wife, 'C' (who had dower rights in the matter), acquiesces. 'D' wrote for them as they are illiterate" (the legal presumption otherwise being that this instrument was in the contractant's own handwriting). The second document states: "We, 'A' and my wife 'C,' have received a loan of 132 drachmae from 'B' at 12% interest, which I shall return in the month Pharmouthi of the coming 9th year of Tiberius. 'D' wrote for them as they are illiterate." A docket on the verso characterizes the transaction as a mortgage. Of the several points of interest here (note, for example, the lack of statement in the sale of the amount of the price), one is significant for the immediate problem. Neither document is dated.

That this type of document was not isolated in the life of the community is shown by the abstract in no. 241, likewise undated, and the titles in the register no. 238, columns III and IV, where the presence or absence of dates cannot be determined. Of the eight instances that I note, three are not absolutely certain inasmuch as the loan was drawn up a day or two later than the basic transaction. These (lines 136/7, 164/5, and 191/2) are all *όμολογίαι τροφίμων δουλικοῦ*; on which type of document see W. L. Westermann, *Class. Phil.*, XL (1945), pp. 6 f. The remainder are also of this type (lines 110/11, 113/14, and 152/3) except for 108/9, a rental, and 145/6, a cession of title. The last may be assumed to be another example of the conditional sale. The others represent the same conception applied to other transactions, basically the substitution of one form of obligation for another. Similar treatment of an obligation as a loan must lie back of no. 348, where a man is taken into partnership with three others "on condition that he repay a loan." This presumably refers to the postponed payment of his dues or membership fee. In any case, it is clear that we must not necessarily take these documents literally.

Illuminating in this respect is the Demotic "alimentary" contract, or property settlement between bride and bridegroom, no. 347. The latter acknowledges receipt of a dowery, and in return states, in the translation of Professor Edgerton: "To you and to the children whom you shall bear to me belongs everything and all property which is mine. . . . Everything and all property which I possess . . . is the security of your endowment." This confusion of the legal concepts of ownership and lien was too much for the scribe of the Greek subscription, who renders as follows (in corrected spelling): *όμολογῶ ἐκθέσθαι τῇ γυναικὶ μον . . . κατὰ Αἰγυπτίαν συγγραφῆν τροφίτιν . . . καὶ τὴν ἀποστασίον καὶ πρόπτρασιν κατὰ τῶν ἵπαρχοντων μοι πάντων*, "I acknowledge having ceded to my wife . . . according to a Demotic 'alimentary' contract of such-and-such value, which is also a quit-claim deed and a preliminary sale against all my property." Probably, after all, as we are dealing with Egyptian rather than with Greek legal concepts, *πρόπτρασις* is a better term for these provisional sales than those terms mentioned above, of which the one does not occur in the papyri and the other is poorly attested. Or there may be more of local influence in this than we have been inclined to see. The word *πρόπτρασις* occurs in this archive alone in Greek, so far as I know; it is frequent in the abstract list *P. Mich. Teb. 121*.

On page 10 of the Introduction, the editors discuss the cancellation notes which occur on a number of the documents. All of them are sales. Payments for such cancellation are noted in *P. Mich. Teb.* 123. Internal evidence to explain these transactions is scant, and an explanation is called for, as the cancellation of a completed sale seems very odd. We may, perhaps, complete the note which occurs on the face of no. 277. This is a "subscription" with a large blank space left for the text of the contract, which was never filled in. Instead was written, ἀχρηστα ἐγένετο χάριν τῆς ΓΥ, the last presumably for γυ(νακός) : "invalid because of the wife," supposing that the wife of the seller, whose consent was required and expressly mentioned in the "subscription," had balked at the actual consummation of the deal or otherwise prevented its completion. More significant is the docket on the verso of no. 328, one of the double texts already mentioned. This consists of the date and the notation: οἰκωνωμία τοῦ δεῖνος πρὸς τὸν δεῖνα, followed by the injunction, φύλαξον αὐτὸν ἔως Μεχίρ (i. e., the third month after the expiration of the loan) εἴνα λάβης παρὰ τοῦ καταγεγραμμένου Ε and "traces of about 17 letters." This phrase, which the editors do not explain, I should understand as follows: "Keep it (i. e. the document, the δάνειον, the masculine αὐτόν appearing for the neuter αὐτό, as frequently) until Mecheir so that you may receive (the document for registering; or possibly a fee) from the seller in case he does not repay the loan" (restoring something like ἐὰν μὴ ἀποδῷ τὸ δάνειον). I believe that this is a note from Apion the *nomographos* (or whoever it may have been at that time) to his assistant, or a memorandum to himself. The basic transaction, a provisional sale, was drawn up at some time in Tiberius' 16th year, but was not to go into effect until Neos Sebastos (November) or Mecheir (February) of the 17th year, and only then if the loan was unpaid. Until effective, the sale could not be entered on the books. The lender's protection would lie in the fact that the document of transfer was drawn up and in the hands of the registrar. Failing repayment, he could demand that the borrower hand over, or release, the document for validation and entry. One may ask what was the advantage of this type of transaction over a straight mortgage. Aside from such possible considerations as local usage, mortgages must be registered with payment of the appropriate fee; cf. no. 333/4. These transactions cost nothing beyond the registrar's fee for writing.

This would be my explanation of the presence of the "subscriptions" in the archives of the registry. They are not merely uncalled for but unused documents, kept as waste paper after the transaction they recorded failed of accomplishment.

From the legal and institutional point of view, it may be said that this is the most significant contribution of the volume, but there are minor matters to note also.

It is interesting that the four Demotic sales, nos. 249-251 and 253, are all dated on the last day of the year. Presumably this was to facilitate prorating of taxes and so on. I cannot say whether the practice was general and based on anything but convenience, but it has a parallel in the document of many copies, nos. 269-271 = *P. S. I.*, 907. The other copies are undated, but no. 269 carries a brief date at the top, added in a later hand; this is the last day of the second year of Claudius.

The voice of the verb in such phrases as *ἐπιγέγραμμαι κύριος* (no. 350, 32, and elsewhere) has been discussed before; cf. *P. Ent.*, 22, note on line 4 (this was pointed out to me by Guéraud). It may be passive, as in that text. Here, however, it occurs in the middle voice, as in no. 352, 12, and need not be passive in any text. Logically the middle seems better, "I sign myself as guardian," for *ἀπογράφομαι* is here used of "appointing" (no. 252, 6).

In no. 238, II, 91, the size of the fee is so large as to make one suspect the reading. Where the average fee for preparing documents runs about three to four drachmae, and the maximum preserved is twelve (line 18) for a cession of land, forty drachmae for drawing up a marriage contract is out of line. We cannot think that the government intended to impose obstacles to the maintenance of the population.

In no. 315, the translation of the phrase (lines 14/15) *ἄνευ σπερμάτων* does not bring out the meaning: "at a rental . . . of twenty-four drachmae in silver a year without seed and a half artab of lentils." The meaning is clear from no. 348, 17, prepared by the same editor, where *σὺν σπέμασι* is explained in the document as meaning the seed which the lessor should furnish, according to the common practice. The meaning here is something like "without consideration of seed," or "without including repayment of seed advanced."

No. 297 raises an odd question. It is accepted that a *ψιλὸς τόπος* was a "vacant lot" in a town, fit for building upon. The text is the sale of a half interest in such a common and undivided lot. The bordering properties include houses of the purchaser and another, but the guarantee is against any proceeding against "the half interest of my building," *ὑπέρ τοῦ ἔμου ὑκήμα[τ]ος τοῦ[.....] τοῦ ἡμίσους μέρους*. Granted that the reading is both uncertain and incomplete, it does suggest nevertheless that a *ψιλὸς τόπος* may not necessarily have been entirely "vacant."

In no. 298, 5/6, I should suggest a different restoration and reading. The text is printed: *πέμπτον μέρος οἰκίας . . . πλὴν τοῦ . . . οἴκου . . . ἐν ὁ ἐστιν ταμίου ἐπὶ τοῦ πυλῶνος οἱ ίσιν Παποντῶτος Μάρωνος καὶ ἐ[πὶ τ]οῦ ταμίου ἐπιπέδου ἐντὸς τοῦ πυλῶνος ὁ ἐστιν Ὁρσεῦτος Βρύωνος, [ἐ]πὶ [δ]έ τοῦ προκυμένου πέμπτον μέρους πλὴν τούτων κοινῶν, κτλ.* It seems obviously better to read *ἐ[τέρο]ν ταμίου*, understanding the genitive by attraction for the nominative, and for *[ἐ]πὶ [δ]έ, [ἐ]στι [δ]έ*, as Guéraud suggests to me, or possibly *[τ]ῶν [δ]έ*. The latter reading may not be possible, but *κοινῶν* looks back for an article.

In no. 229, as Mr. Bell remarked to me in London, the punctuation calls for a period after *ταλεί* in line 4. The date which follows is that of the events described, not of the petition.

No. 231 is an interesting, but fragmentary and obscure, list of charges against a person named Orses, which I should understand a little differently from the editors. The translations are mine. Orses is first accused of various *συκοφαντῶν καὶ ἐπιθέσεων*, "concerning which each of the injured parties has come forward (legally, in the present action, as the use of the perfect tense indicates), in addition to which (*ἔτι καὶ*) the above defendant had the temerity, with his customary insolence, to attack another resident of the village

(Cronio), wishing to involve him in legal penalties also ( $\zeta\eta\mu\alpha\iota\alpha\iota\sigma$  περιτρέψαι), so that Cronio, reduced to poverty (or desperation, ἔνδειαν), laid hands upon himself (taking ἔαντρον for ἔαντρον) and died." In this matter Cronio's brother and wife, "taking no rash action at the time (οὐ ληρήσαντες τότε) come forward (in this case) to testify according to (ὦν for ϕ) a memorandum which they submitted" to a former nome governor. "When the matter became known through the (wife?) of the defendant Orses," something happened, lost in a lacuna, concerning which the petitioner is now asking for justice. While the events cannot be completely recovered, and much of the translation is doubtful and unsatisfactory, nevertheless it is interesting to find that here, as in Fifth Century Athens, sycophaney was an offence for which a man might be prosecuted. Nothing is said to indicate that any of the charges raised by Orses were unjustified, and in any case, the honor of Roman justice might seem involved.

No. 232 is a petition of a woman to the exegete. Her husband and three of his brothers, five years before (assuming that the reading IH in line 8 is the true one), had borrowed a sum of two talents and 1200 drachmae on the security of 82 arourae of catoecic land. The exact nature of the mortgage is not stated. This is not an unreasonable rate, and gives the land a capital value of about 160 drachmae an aroura, well within the range of values given by A. C. Johnson (*Roman Egypt*, p. 146) for the period. Interest at 12% per annum would add about 5,000 drachmae for three years, at the expiration of which period the creditors stepped in and took over the property. Now, with the concurrence of all four of her husband's brothers, she petitions to be rid of the affair through the payment of 2,500 drachmae toward unpaid taxes and the cession of all rights to the property. This ἔκστασις is not precisely the Roman *cessio bonorum*, as the editors imply. Why the last brother, who was not one of the original borrowers, was required to surrender his share in the property, too, is not clear. It is possible that he had given his consent to the mortgage.

Nos. 353 and 354 show how the registrar Cronio insured the interests of his clients and the treasury, while protecting himself from possible accusations of malpractice. These are guarantees to him of security. In the first instance, he sanctioned a transaction based on a missing document. In the second, the contractant-guarantor appears practically in the rôle of a sheriff. One Ptolemaeus sold the property of certain debtors to the state, remitting the proceeds to the treasury and issuing his personal bond both to the purchaser and to Cronio. His motivation both for the trouble and for the risk is not explained, nor how, precisely, these guarantees to a government official would operate. Did Ptolemaeus propose to stand trial and undergo any penalties which might be imposed on Cronio?

This question, and many others raised by these texts, cannot be answered, but that is precisely the fascination of this material. It is stimulating in many ways, and the University of Michigan may well be proud of it and of the scholars who have made it available.

C. BRADFORD WELLES.

CAIRO, EGYPT.

GEORGE T. FLOM. *The Morphology of the Dialect of Aurland (in Sogn, Norway)*. Urbana, Univ. of Illinois Press, 1944. Pp. 142. (*Illinois Studies in Language and Literature*, XXIX, No. 4.)

The modern Icelandic proverb *römm er sú taug/ er rekka dregur/ föðurtúna til*, "strong is the bond that binds a man to the paternal place," would be a fitting motto of the life work of Professor G. T. Flom. Though born in America, he has devoted his life to a scholarly study of the language and the literature of his Norwegian homeland. He has even studied in minute detail the dialect of the parish from which his parents hailed, the dialect of Aurland in Sogn. As early as 1912 he began making investigations on the spot, and in 1915 he published a *Phonology of the Dialect of Aurland*. He revisited the parish in 1926, 1930, 1935, and 1938, with a view of giving not only the present morphological study of the dialect but also a dictionary and a collection of its place names. It remains to be seen whether Flom's indefatigable energy will still present us with the full fruit of these studies; he is himself in doubt about the dictionary and has therefore given a fuller collection of examples under the different categories of inflexions in this grammar than would be strictly necessary.

After defining his orthography and giving a short but interesting description of Aurland and its linguistic features, the author plunges into the morphology of the dialect. In basing his classification on the conventional Old Norse system, he wins a welcome basis of comparison with Old Norse and Icelandic, though, as he himself remarks, the morphology is rather descriptive than comparative in method.

Whoever has read some Sagas knows that a great many of the Icelandic genealogies are traced back to *Björn buna*, *Grims sonar hersis ór Sogni*. Icelandie scholars have therefore long been alert to similarities between Icelandie and the dialect of Sogn, such as the pronunciation of ON *gás* (Icelandic *gaus*, Sogn *gaus*) or that of *rn* as *ddn*, ON *barn* (Icelandic *baddn*, Sogn *baddn*). But comparison could be of some value only after the completion of such basic studies as Flom's *Phonology* and *Morphology*, and that preferably not only for Sogn but also for the other West-Norwegian dialects. An older generation of scholars might have hoped to fix the origin of Icelandie by such a detailed study of the dialects of West Norway. Now, however, scholarly opinion tends to view *Kolonialsprachen* as new-formed entities, with original features shaken up to form new combinations rather than continuing the system of any old dialect of origin (cf. Otto Springer). If this is so, there is probably less likelihood of close correspondence between Icelandie and Sogn than would previously have been suspected.

Still, the fact, recently demonstrated by Nordal (*Íslensk menning*), that the descendants of *Grímr hersir ór Sogni* actually became the ruling clan of Iceland in the Saga period should encourage us not to dismiss the points of similarity between Icelandie and Sogn too lightly *a priori*. A comparison should be made.

Among the pronouns (p. 21) Flom mentions the usage *han Anders* "when the reference is to a person who is familiarly known to the

speaker and hearer." He thinks this may be an extension of ON *þeir Gunnar* "Gunnar and his men," admitting, however, that the similarity is one of form only, not meaning. He does not mention the fact that the expression is used exactly the same way not only in Mod. Icelandic *hann Andrés* but also in Old Icelandic: *Auðunn var ok þar ok starfaði fyrir honum þóri* (*Morkinskinna*, ca. 1220). The origin is, of course, not cleared up by this. The meaning is almost identical with German *der Anders*, but English has nothing corresponding.

The usage *hann e kallde idag* "it is cold to-day" is also matched by Mod. Icelandic *hann er kaldur i dag*, but the usage is not recorded in the Old Norse-Icelandic dictionaries.

These examples suggest that Flom has not always made as good a use of Modern (and even Old) Icelandic as he might have done. Thus we also miss a reference to Mod. Icelandic on p. 32 under *\*þumall* and on p. 41 under *\*hnit* (Mod. Icelandic *nit*), and in the passages about adverbs of degree in present participial form (p. 96) it might have been mentioned that Mod. Icelandic has both *glóandi heitur* and *sjóðandi heitur*.

Although details such as these might be multiplied, they detract but little from the value of the work. Obviously it was not Flom's plan to make a systematic comparison with Old or Modern Icelandic, though such a comparison might sometimes have been profitable, as the above examples show.

To conclude: Professor Flom has once more made us his debtors by this fine contribution to Norwegian dialectology.

STEFÁN EINARSSON.

THE JOHNS HOPKINS UNIVERSITY.

---

KENNETH L. PIKE. *Phonetics: A Critical Analysis of Phonetic Theory and a Technic for the Practical Description of Sounds.* Ann Arbor, Univ. of Michigan Press, 1943. Pp. x + 182; 13 text figs. \$2.50. (*Univ. of Michigan Publications, Language and Literature*, XXI.)

This is the prolegomenon to phonetics that has long been needed. As the author makes abundantly clear, most work in this subject has suffered from the fact that there has been a failure to describe in thoroughgoing fashion the mechanisms that initiate and regulate the passage of air through the vocal cavities. The chief reason for this neglect has, of course, been that the great virtuosi of phonetic description have been almost entirely concerned with the languages of Europe. In these all norms of sound are produced by one air-stream mechanism only, that in which egressive lung air is used. As a result, a technic of description has been lacking when such sounds as glottalized stops, implosives, and clicks were met in more exotic languages. Descriptions have been made of these phenomena, but

there has been a striking failure in general<sup>1</sup> to correlate these with the more familiar sounds, a tendency to throw them into final "waste-paper basket" chapters. Dr. Pike's treatment at last makes good this failure. If I refrain from indicating the solution, it is in part because a statement of the technicalities involved is perhaps not too suitable for these pages, but in part also because I feel, with the reviewers of detective stories, that the author's treatment is so well marshaled and developed that it would be unsporting to give the solution away and spoil the reader's enjoyment.

It is safe to say that no linguistic field-worker should attempt a really exotic language without having mastered the book. I am now, after reading pp. 126 ff., almost sure that the two tones of Annamese that I have called by the catchname "creaky tones" are examples of the author's "laryngealization," i. e. "trillization" with superimposed voice. Instrumental analysis, however, is still wanting for both "laryngealization" and the "creaky tones," to prove or disprove their identity. So many possibilities are envisaged in the book that the field-worker who uses it will avoid some errors of omission or commission that could be made otherwise because of ignorance of the possibilities. I doubt, however, whether mere mastery of the book will be enough to train students. There must be some admixture of the "imitation-label procedure" (p. 16) for a fairly considerable time, to enable the beginner to hear some of the more unfamiliar things described in the book, especially if they involve unfamiliar mechanisms and strictures in the larynx and the velar region, which are comparatively inaccessible to visible inspection. This type of instruction is necessary also to give the student the practice that will allow him to gain some control over his own vocal organs. I find that I am able both to identify and to reproduce easily glottalized stops in accordance with the description of this book, an ability that I acquired from good models and a teacher who could give an approximate description. Even so, I am unable to produce an implosive by following the description; I have never had the opportunity to learn by mimicry. This may be a failing of my own, but my impression is that it is not uncommon.

The author rightly says (pp. 37, 77 f.) that phonetic descriptions should be made without reference to phonemic considerations. "If the phonetician first delimits supposed articulatory classes by phonemic features, how can he then describe the phonemes with articulatory methods?" (pp. 77 f.). His method enables him to define what he terms "vocoids" and "contoids" phonetically, and to reserve the terms "vowel" and "consonant" for "categories of sounds . . . according to their grouping in specific syllable contextual functions" (p. 78).

On p. 40 the author says that he has not "investigated many sounds produced from abnormal conditions." It is a pity that he did not have the opportunity to study the phonetics of the languages of tribes that practice oral mutilations, e. g. of lips or teeth. Apart

<sup>1</sup> The earlier article by J. C. Catford in *Le Maître Phonétique*, 3rd ser., LXV (1939), pp. 2-5, of which the work for this volume was quite independent, does not work out the basic theory nearly so far or so consistently.

from peculiarities of place of articulation that might be so produced, it is at least possible that lip mutilations might produce some peculiarities in managing the air-stream mechanisms.

A few details where one may take exception may be mentioned. On p. 64, line 7, "velic" and "oral" are reversed. On p. 96, at the head of the second and third diagrams, the symbol [ʃ] is badly chosen instead of the usual [β]. Similarly, on p. 113, line 8, [ɸ] is a bad choice instead of the usual [φ]. It seems that the printer did not have some Greek types, though this is rather unexpected in a printer who produces a volume for the University of Michigan Press. In fig. 13, p. 120, *pw* of the sketch is not identified in the key; it obviously stands for "pharyngeal wall." On p. 114, line 23, one would have expected mention of the "presequential" sequences of aspiration plus voiceless stop among those combinations that are exceptionally combined into single phonemes for particular languages. One choice made by the author is somewhat disturbing. In the sketches of the vocal organs in the book the air stream always passes through the mouth from right to left. In the analphabetic diagrams of sounds, however, the arrow symbols for air direction (p. 90) point from left to right. For the reader's comfort the directions should have been identical in sketches and diagrams. This point has been mentioned by a previous reviewer, but it will bear repetition.

It is to be hoped that this volume will soon be followed by that on tone languages which is said on p. v to be completed.

M. B. EMENEAU.

UNIVERSITY OF CALIFORNIA.

---

H. R. W. SMITH. *The Hearst Hydria: An Attic Footnote to Corinthian History.* Pp. 241-290; pls. 33-37. (*Univ. of California Publications in Classical Archaeology*, Vol. I, No. 10 [1944].)

H. R. W. Smith's publication of one of the excellent vases from the Hearst Collection leads him into a very interesting discussion of the chronology of the Corinthian Cypselids. The vase, a hydria of good, if not outstanding, workmanship, is of Attic manufacture, but shows strong Corinthian influence in many details. The first half of the article deals with the vase's relationships with both Attic and Corinthian pottery. On the basis of these the author arrives at a date shortly before the middle of the 6th century B. C.

In the second part of his article, Smith justly points out the need of correlating Corinthian art and Corinthian history more closely than it has as yet been possible to do. The chief stumbling block is, of course, the lack of agreement, in ancient times as well as now, in dating the Cypselid dynasty. Smith's argument plausibly attempts to confirm the Herodotean, or low, dating of the Cypselids by connecting the disappearance of Corinthian pottery in Rhodes and Italy with the fall of the dynasty and events leading up to it. Corinthian pottery ceases to be found in Rhodian graves at some point in the second quarter of the 6th century. There seem to be some grounds for supposing that this break in trade between Corinth

and Rhodes may have been due to Samian piracy, which was perhaps intensified by the presumed cessation, at the fall of the Cypselids, of friendly relations between Corinth and Miletus. The even more sudden loss of the Italian pottery market at about 550 B. C. is reasonably attributed to the weakening of Corinth's Adriatic life line, again doubtless a result of the fall of the tyrants who had developed and exercised rigid control over it.

Much as one may be impressed by the plausibility of Smith's arguments and the evident thoroughness of his research, one cannot quite refrain from a perhaps rather carping comment on his style, which often seems unnecessarily involved. If, however, it is intentionally so, and designed to prevent casual reading, it amply fulfills its purpose, since one is likely to be brought up short against phrases which defy rapid comprehension, as, for example, such a phrase as "in rendering altogether and even in kind quite notably." The effort to avoid dullness is praiseworthy, but the impact of such frequently recurring involutions as "False, I think, the first impression . . .," "Wanton, to carve Herodotus into orthodoxy . . .," "Not un-Attic the goat type . . .," etc., tend to distract the reader from the author's line of argument.

AGNES N. STILLWELL.

SAUNDERSTOWN, R. I.

SISTER MARY JOSEPHINE SUELZER. *The Clausulae in Cassiodorus*.

Washington, D. C., The Catholic Univ. of America Press, 1944.

Pp. xv + 47. (*The Catholic Univ. of America Studies in Medieval and Renaissance Latin Language and Literature*, XVII.)

This dissertation is a thorough and painstaking study of the *clausulae* in Cassiodorus. If the conclusions—that Cassiodorus' writing is more accentual than metrical and that he ranks high among the users of the *cursus*—are not exactly unexpected, still it is helpful to have his usage carefully described and defined. The author has studied every clausula in the *Variae*, the *Institutiones*, the *De Orthographia*, the *De Anima*, and portions of the *Expositio in Psalterium* and the *Complexiones*.

The *De Orthographia*, as a technical work, stands apart from the others and has a low percentage of favored *cursus* forms. For the other works the percentages are as follows: *cursus planus* 32.2, *velox* 27.6, *tardus* 25.1, *trispondaicus* 9.7, total 94.6. These figures are exceeded only by Ammianus (total 96.5), Pomerius (97.4), and Leo the Great (100).

The dissertation naturally consists primarily of statistical tables which are difficult to summarize in a review. There is a chapter on subsidiary matters: typology, doubtful quantities, syncopated forms, clausulae evidence for text criticism, etc. There are few errors; something has gone wrong with the figures for Cassiodorus in Table 20; they do not fit with Tables 12 and 21. But the aberration is slight, and the conclusions are not affected.

HARRY M. HUBBELL.

YALE UNIVERSITY.

SISTER MARY IMMACULATE BODENSTEDT. *The Vita Christi of Ludolphus the Carthusian.* Washington, The Catholic Univ. of America Press, 1944. Pp. viii + 160. (*The Catholic Univ. of America Studies in Medieval and Renaissance Latin Language and Literature*, XVI.)

The *Vita Christi* of Ludolphus († 1377) is a rambling cento of innumerable passages from nearly one hundred authors, secular and religious alike, ingeniously woven together into a long meditative life of Christ equivalent in bulk to about five octavo volumes of some five hundred pages each. Little is known of the life and minor works of Ludolphus, but his *magnum opus* was very probably written while he was a Carthusian at Mainz. Its popularity was immediate and extensive. It was prescribed for public reading in the Carthusian refectory; his contemporaries copied it in their works and echoed its counsels in their sermons; and beyond Germany, Spanish, French, and Italian mystics and devotional authors were greatly influenced by its ascetical theology. As would be expected, very many manuscripts of the *Vita* are to be found in the libraries of Europe. Though its popularity decreased somewhat during the seventeenth and eighteenth centuries, at the latter part of the nineteenth century a renewed interest developed and many new editions were published, both of the original Latin as well as of translations.

The present book, a Ph. D. dissertation accepted by the Catholic University of America, includes (a) a survey of what can be known of the life and writings of Ludolphus; (b) an investigation of the sources of the *Vita Christi*, with especial attention being given to the identification of several hitherto unidentified sources; (c) an assessment of the influence of the *Vita*; (d) an analysis of the contents of the *Vita* with reference to the author's method as theologian, exegete, preacher, ascetic; and (e) a consideration of the numerous prayers in the *Vita*, the presence of which constitutes one of the distinctive characteristics of this life of Christ. A select bibliography and a full index complete this dissertation.

The author thoroughly documents her material and presents it in a clear style. Both the theologian and the medieval Latin philologist alike will find in her painstaking work the only scientific prolegomena regarding Ludolphus and his *Vita Christi* available in any language.

BRUCE M. METZGER.

PRINCETON THEOLOGICAL SEMINARY.

---

#### EDITORIAL ANNOUNCEMENT.

The Editorial Board announces that with this issue Professor Henry T. Rowell assumes the direction of the *American Journal of Philology*.